



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Déardaoin, 7 Samhain 2019

Thursday, 7 November 2019

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

Paidir.

Prayer.

Ceisteanna - Questions

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Public Service Pay Commission Reports

1. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence the status of the implementation of the recommendations of the Public Service Pay Commission's report on the Defence Forces; and if he will make a statement on the matter. [45895/19]

Deputy Jack Chambers: I am seeking an update from the Minister of State on the implementation of the recommendations of the Public Service Pay Commission's report on the Defence Forces. He will be aware that we have passed quarter 1 post-publication of the report. We need a detailed assessment regarding the Government's commitments under the report and the timelines in that regard. There is concern among the representative associations that while the report was published with great fanfare on the part of the Minister of State, he is not living up to his side of the bargain in terms of commitments. I ask him to set out the detail of what has happened and if all of the timelines have been met.

Minister of State at the Department of Defence (Deputy Paul Kehoe): I have heard that language before from another party.

The Public Service Pay Commission, PSPC, report on recruitment and retention in the Permanent Defence Force, PDF, was accepted in full by Government. A comprehensive implementation plan entitled, Strengthening our Defence Forces - Phase One, was also published by Government.

The PSPC report recommended a range of measures that will result in immediate and future benefits for members of the PDF. The measures include: a 10% increase in military service allowance; the restoration to pre-Haddington Road levels of certain specific Defence Forces allowances; the restoration of premium rates for certain weekend duties; and the restoration of a service commitment scheme for Air Corps pilots.

These measures are currently being implemented following their acceptance by the Representative Association of Commissioned Officers, RACO, and the Permanent Defence Force Other Ranks Representative Association, PDFORRA, which is welcomed. These measures, which will cost €10 million per annum, are in addition to increases in pay which members of the PDF are receiving under the Public Service Stability Agreement 2018-2020, the most recent being a 1.75% increase in annualised salaries from 1 September 2019.

The Government's plan also provides for further measures in the short, medium and longer term. It sets out timelines to deliver on the PSPC recommendations. This work, under my direction, is being prioritised by civil and military management and includes a review of pay structures in the PDF, led by the Department of Public Expenditure and Reform and the identification of pay-related retention measures, which is within my remit. Both of these measures will be progressed within the framework of the public service stability agreement and future public sector pay negotiations. A range of other pay and non-pay related actions are also being progressed.

Of the ten projects being led by my Department, civil and military, eight are up and running and are broadly on track.

These projects include a review of technical pay, which will affect enlisted personnel who are specialists. The review is well advanced, with an initial priority focus on technical specialists in the Air Corps, Naval Service and Communications and Information Services, CIS, Corps.

Options for incentivising longer service for certain non-commissioned officer, NCO, and officer ranks, in particular those with specialist skills undergoing a significant loss of experience, are being developed and this will feed into future pay negotiations.

There is also a range of non-pay projects, on which work is under way or due to commence. These include a review of recruitment methods, enhanced workforce planning, enhanced professional military education, bespoke leadership training, development of a mental health and well-being strategy, a review of barriers to extended participation in the PDF, the development of further non-pay retention measures and consideration of the provision of additional specialist posts in certain areas.

Additional information not given on the floor of the House.

I am confident that all of the measures contained in the plan, coupled with pay benefits being delivered by the Public Service Stability Agreement 2018-2020, will address the recruitment and retention challenges being experienced by the PDF.

However, it should be noted that as the Government's plan contains short, medium and long term measures, the full impact of these measures will take time to determine. There are also a range of external variables which impact on recruitment and retention, and which can change.

The capacity of the Defence Forces to undertake the tasks assigned by Government will

continue to be carefully monitored having regard to the implementation of the recommendations of the pay commission and other actions which are under way.

Deputy Jack Chambers: I thank the Minister of State. The question relates to the outcomes of these measures. For example, what are the outcomes in the context of the incentivised long-term arrangement for NCOs and officers, the assessment of barriers to extended participation in the PDF, the examination of bespoke management training for leaders and management, the review of the well-being audit that was supposed to be have been conducted by 4 October 2019, the examination of additional specialists posts in certain areas and the review on tech pay, a matter about which PDFORRA is concerned? These outcomes are the measurement of the PSPC report. There is no point listing the general detail without giving the outcome of the measures which the Government committed to have completed by quarter 1 following publication of the report. The Minister of State has not provided outcomes. Rather, he has provided headline details. That is of serious concern because if he is failing in quarter 1, this whole process will collapse and he will lose the buy-in from the representative associations.

Deputy Paul Kehoe: RACO and PDFORRA have accepted the independent pay commission's report. I presume Deputy Jack Chambers would have preferred if they had not accepted it. Then he would have something to give out about. I am delighted they accepted it. I understand that the Deputy was not expecting it himself. Broadly speaking, for the majority of projects the times are currently being met. Of the 15 projects, five are being led by the Department of Public Expenditure and Reform, of which four projects were dependent on acceptance of the pay agreement and of associated recommendations of the Public Service Pay Commission, which has now occurred. The fifth project, the review of pay structures, is a medium-term project being led by the Department of Public Expenditure and Reform. The remaining ten projects are being led by my Department, of which eight are up and running as follows. The review of technical pay, R2, is well advanced with an initial priority for the Air Corps, the Naval Service and the Communications and Information Services Corps, CIS. This was to be focused on one group but I insisted that we prioritise the three areas in which we have the most challenges, namely the Air Corps, the Naval Service and the CIS. Maybe if the Deputy thinks I should take one of them out, he will tell me which one. The project on the incentivised long service pay arrangement is progressing well. A draft report has been prepared and is currently under consideration with the Department of Defence and the Department of Public Expenditure and Reform. Project R5 is nearing completion. Project R6 is progressing well and is on target for completion next year. Project R7 is on target and significant research is ongoing through the Defence Forces mental health and well-being working group. Project R8, the review of current retention strategies, is complete and research into the retention measures within the Permanent Defence Force, PDF, is nearing finalisation. The focus of the project has now moved to proposing further non-pay measures.

Deputy Jack Chambers: I have been speaking to representative associations. Of course they accepted the miserly increase the Minister of State gave them. However, we also have to look at the research from the pay commission which said that three in five will leave the PDF in the next two years. If the Minister of State and his team are not meeting the outcomes around retention initiatives that are listed in the specific timelines referenced in the pay commission process, the delays will result in bigger retention difficulties for our Naval Service, Army and Air Corps. The concern is that their answers are not being received for PDFORRA and RACO from the Minister of State's side of the House when it comes to the outcomes of these recommendations. The Minister of State can say that the reviews are ongoing and things are broadly

on track but that is just nebulous nonsense. People are still leaving. The rate of attrition and the exodus are still ongoing and we have collapsing structures that have not changed since the outcome of the pay commission report. If the Minister of State wants a bit of praise about it, fine, but the outcome is that we are heading towards 8,000, which is far away from the target of 9,500. The failure and legacy of the Minister of State will be around how he has allowed the Defence Forces to collapse on his watch and also how he did not provide a pressing brief on his Department so that he matched the outcomes that are referenced in the pay commission structures.

Deputy Paul Kehoe: The Deputy is totally incorrect. I would not call the public service pay allowances miserly. The military service allowance has increased by 10%. This constitutes a benefit to any individual of up to €675 per annum. Then we have the reversal of the cuts under Haddington Road, the security duty allowance, the patrol duty allowance, the weekend duty allowances, the explosive ordnance disposal, EOD, allowances, the Army Ranger Wing allowance and the peacekeepers' allowance. I do not believe any of these allowances are miserly. The Deputy has been in here for the last years talking about the duty allowance yet now that we have restored those allowances, he has never once welcomed their restoration. I know it does not suit his narrative, that is the way it is. He does not do good news.

Deputy Jack Chambers: The Minister of State does fake news.

Deputy Paul Kehoe: He wants negativity and I presume that is what Opposition is all about. I am not going to deal in negativity this morning. I am not going to kowtow to the Deputy's sentiments. I will look at the positives of the Defence Forces and of being a member of the Defence Forces. The Public Service Pay Commission is a start and I have stated that. I know the Deputy does not want to hear the updates on the implementation plan.

Deputy Jack Chambers: I want the updates.

Deputy Paul Kehoe: There are good updates. I asked the Deputy which one of the technical pay groups he would take out and he has not answered that question. I insisted instead of going for one that we would go for three, with the Naval Service, the Air Corps and the CIS. If we had gone for one it might be completed by now but I insisted that we go with three because we had three challenging areas. If the Deputy wants to take one out, he has failed to answer that question.

Defence Forces Personnel

2. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if his attention has been drawn to the fact that the situation within sections of the Defence Forces is so bad that the viability of those units is at risk due to the failure to address the exodus from the Defence Forces; and the immediate steps he will take to stem the tide of resignations of commissions and other ranks leaving the Defence Forces in large numbers. [45672/19]

Deputy Aengus Ó Snodaigh: The Minister of State is in charge eight and a half years now. If he is not aware of the dire circumstances within the Defence Forces he should be. It is so bad now that the viability of certain units is at risk because of the retention crisis.

Deputy Paul Kehoe: The Government has acknowledged that there are recruitment and

retention difficulties in the Defence Forces. As at end September 2019, the strength of the PDF was 8,654 personnel. As the establishment is for 9,500 personnel this means that there are vacancies in units. The Defence Forces are fully funded for 9,500 personnel. This has led to reduced operational availability in certain areas. This continues to be closely monitored and managed and safety remains a key priority for me.

The report of the Public Service Pay Commission on retention and recruitment in the Permanent Defence Force has been accepted by Government. It contains a broad range of recommendations to address recruitment and retention difficulties, some of which will provide immediate benefits to members of the Defence Forces. Immediate measures include a 10% increase in military service allowance, the restoration to pre-Haddington Road levels of certain specific Defence Forces allowances, the restoration of premium rates for certain weekend duties and the return of an incentive scheme to address pilot retention issues in the Air Corps. These measures, which will cost approximately €10 million per annum, have been accepted by the Permanent Defence Force representative associations and are in the course of being implemented. In addition, the report provides for an examination of pay structures in the PDF and the identification of other retention measures, which will be progressed within the framework of the public service stability agreement and future public sector pay negotiations. The report also contains a range of other recommendations aimed at improving workforce planning, recruitment and conditions of service in the PDF.

The Government has prepared a detailed implementation plan setting out timelines and objectives to deliver on the pay commission's recommendations. Under my direction, this work is being prioritised by civil and military management. The Public Service Stability Agreement 2018-2020 provides for increases in pay ranging from 6.2% to 7.4% over the lifetime of the agreement. The increases due to date under the agreement have been paid to members of the Defence Forces, the most recent being a 1.75% increase on annualised salaries from 1 September 2019. Further increases in pay are scheduled in 2020. I am satisfied that the range of measures being progressed, which provide immediate, short term and longer term actions, are an appropriate response to the current difficulties. It should be noted that it will take time to reap the full benefit of these measures. There are also a range of external variables which impact on recruitment and retention and which can change.

Deputy Aengus Ó Snodaigh: Like many others, I welcome the decision by PDFORRA to accept the miserly offer that was on the table. They had no choice but to accept it but that is not going to stem the tide that has occurred under the Minister of State's watch of those who are leaving the Defence Forces in droves, especially those with specific skills. I have asked on a number of occasions about the explosive ordnance disposal units and the Minister of State has said it is "inappropriate for [him] to comment on the disposition and specifics" of it. I am not trying to gain a State secret in questions I have put to the Minister of State about capacity. That capacity is so low now that men within the section are having duties of nearly 80 hours on a regular basis. What specific actions are being taken to ensure that the navy, the Air Corps, the likes of the military police and in particular the specialist units which require immediate support can be retained? What specific actions is the Minister of State going to take to ensure there are no more losses of men and women from those sections to the private sector, which is very glad of the expertise that is being offered because people cannot sustain their employment?

Deputy Paul Kehoe: I would be the first to recognise that we have challenges within the Defence Forces, specifically when we have full employment. This is not the first time we have had challenges in the Defence Forces when there is full employment in the country because

there are many more opportunities out there for people. These are highly-skilled, well-trained and educated people who have been afforded fantastic opportunities within the Defence Forces. The private sector is seeking and targeting members of the Defence Forces. The Deputy will understand that when it comes to public sector pay, we cannot take one part of the public sector and increase salaries by 25% or 30%. I would love to be able to do that but public sector pay does not work that way. There is broad agreement on pay throughout the public sector. I was delighted that the Public Service Pay Commission recommended an increase in the military service allowance and the reversal of cuts implemented prior to the pre-Haddington Road agreement regarding specific duties. The peacekeepers' allowance was increased, the pilot retention scheme was restored and we are reviewing technical pay. The Department and the Defence Forces are looking at other non-pay issues around workforce planning, recruitment and longer service.

Deputy Aengus Ó Snodaigh: Everybody in the public service would, I believe, accept that there is a special case to be made for the Defence Forces because of the type of work they do, the hours they must work and their loyalty. The exodus from the Defence Forces does not have anything to do with full employment because members were leaving in droves even during the recession. It is a pity the Minister of State does not realise that. Members of the Defence Forces are leaving because they are not appreciated in the wages they receive and because of extra duties. I have still not heard anything from the Minister of State or the Government which would stem this tide. The Minister in charge of the Defence Forces is not the Minister of State but the Taoiseach and the ball falls in his court. I ask again what specific steps are being taken to prevent the further loss of men and women working in specialised areas on which the Defence Forces depend and full members of the Defence Forces and to ensure these members do not drift towards employment in Facebook, as military policemen have done, or on cruise liners, as some in the Naval Service have done, and into other areas of the private sector. How can society retain the Defence Forces in any shape or form or will numbers be further reduced as time goes on? RACO reckon that by 2030 Defence Forces strength will be down to 7,500 members.

Deputy Paul Kehoe: I listed some of the issues in the Public Service Pay Commission. We have the pilot service commitment scheme, which is a response to one of the commission's recommendations. There is the review of technical pay. Measures in non-pay areas include hot-desking, family-friendly overseas appointments, measures for couples, career breaks, a shorter working year, coaching and mentoring, promotions, which are ongoing, overseas service, provision of professional military education, PME, for trainee technicians, external education and training, and overseas training. There is a range of opportunities for people who join Defence Forces.

I am the first to recognise that the Defence Forces is a very unique organisation. The Deputy is fully aware that the Public Service Pay Commission could not look at core pay. If it had recommended an increase in core pay, the Deputy would be the first man in this House jumping up and down looking for more money for everybody else.

Deputy Aengus Ó Snodaigh: I would not.

Deputy Paul Kehoe: That is Sinn Féin and Opposition politics.

Deputy Aengus Ó Snodaigh: Someone working for 100 hours should be paid for 100 hours but that does not happen in the Army.

7 November 2019

Deputy Paul Kehoe: I allowed the Deputy to speak and I ask him to allow me to reply to his question.

Deputy Aengus Ó Snodaigh: The Minister of State should not put words in my mouth.

Deputy Paul Kehoe: I am not putting words in anybody's mouth.

Deputy Aengus Ó Snodaigh: He was and I responded.

An Leas-Cheann Comhairle: There are to be no bilaterals, please.

Deputy Paul Kehoe: The Deputy understands how public service pay works. That is one of the reasons we are preparing a strong case for the next round of the public service pay talks. That is important and unique because it is the first time we have done.

Deputy Aengus Ó Snodaigh: Pay should not have been cut the last time.

Deputy Paul Kehoe: That is one of the reasons that I agreed to do this when I was appointed in 2016. I have been absolutely consistent on that for the past number of years.

Army Bomb Disposals Data

3. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence if he will provide a report on the work of the Army bomb disposal unit; and if he will make a statement on the matter. [45896/19]

Deputy Jack Chambers: Will the Minister of State provide a report on the work of the Army bomb disposal unit and make a statement on the matter? Information has been given to me in recent days regarding serious concerns on staffing levels in the bomb disposal unit. Is the Minister of State aware of concerns about the capability of the Army bomb disposal unit? Is this an example of the collapsing structures we are seeing take place under his watch?

Deputy Paul Kehoe: The Department of Justice and Equality and An Garda Síochána have primary responsibility for the internal security of the State. Among the roles assigned to the Defence Forces in the White Paper on Defence is the provision of aid to the civil power, ATCP, which, in practice, means to assist An Garda Síochána when requested to do so. The Defence Forces Ordnance Corps provides the explosive ordnance disposal, EOD, service within the State in support of An Garda Síochána in an ATCP role. The Defence Forces EOD teams respond when a request for assistance is made by An Garda Síochána in dealing with a suspect device.

Pursuant to their role in rendering aid to the civil power, the Defence Forces have a number of EOD teams on call 24 hours a day, seven days a week, to respond to requests received from An Garda Síochána for assistance in dealing with a suspect device or for the removal of old ordnance. The military authorities have assured me that they have responded to all requests for EOD support made by An Garda Síochána. The operational role of the Ordnance Corps is responsible for the removal and the destruction, at the request of the Garda authorities, of smoke floats, flares, explosives, landmines and other such explosive devices, which may have been washed ashore or otherwise discovered on State territories. The Defence Forces explosive ordnance disposal teams also deal with other types of call-outs, including the destruction of old

grenades found by members of the public, unstable chemicals and suspected devices that are found to be hoaxes.

For reasons of operational security, it would be inappropriate for me to comment on the disposition and specifics of the explosive ordnance disposal capabilities of the Defence Forces but I assure the Deputy that ongoing training takes place on a constant basis and there are also ongoing upgrades to equipment. For example, work to upgrade the explosive ordnance disposal robot is due to be completed before the end of 2019. The Ordnance Corps also provides the Defence Forces with EOD capability across its full spectrum of operations. This has included briefings and training of personnel deploying overseas and, recently, all personnel on career courses.

I am satisfied that the Defence Forces are equipped and resourced to respond, as appropriate, to any EOD call-outs.

Deputy Jack Chambers: I asked the Minister of State a very specific question on whether he was aware of any concerns about staffing levels in the Army bomb disposal unit and he failed to answer it. As he stated, the unit has operational and logistical responsibility for bomb disposal. The Minister of State lauded investment in explosive robotic technology. It seems he will have to look for more robots to replace personnel leaving the organisation as part of the exodus taking place under his watch. I have been informed that a number of members of the Army bomb disposal unit are on pre-discharge leave at present. This will create a vacuum as regards their specialties in the Army bomb disposal unit and they are not being replaced in sufficient numbers because there are no personnel with their specialist skillset coming through the ranks to replace them. Is the Minister of State aware of this? If so, what is he doing to address it? Have there been internal discussions about plugging the gap? While the Minister of State indicated he had met all his responsibilities regarding aid to the civil power, what about the specific difficulties the exodus from the Army bomb disposal unit will create in future?

11 o'clock

Deputy Paul Kehoe: For reasons of operational security, it would be totally inappropriate for me to comment on the disposition and specifics of the Defence Forces explosive ordnance disposal capabilities. I assure the Deputy, however, that any retention and recruitment challenges are prioritised and addressed so that the Defence Forces EOD teams can respond when requests for assistance are made by An Garda Síochána to deal with suspect devices.

As I stated, the explosive ordnance disposal service continues to train personnel. I would be the first person to say we have challenges in the area. These are highly-skilled and sought after personnel but we have regular training and we are introducing new members to the explosive ordnance team. It is only right and proper that we continue to do that.

The EOD service is available 24-7 to respond to requests from An Garda Síochána for assistance in dealing with suspect devices and the removal of old ordnance, which I addressed in my original question.

Deputy Jack Chambers: I am glad the Minister of State admitted there is a challenge and that he is aware of the serious skills shortage in the Army bomb disposal unit. While he is maintaining the headline that the unit is available 24-7, he has admitted it is below strength. The personnel are underpaid. The pay commission report does nothing to prevent from leaving those who should be staying. That is the real outcome of the report. There is now a vacuum in

training and the skill set. While personnel are being trained, the experienced personnel in place will never be replaced.

There is a clear example from the coalface of the real outcome of the pay commission report. There are large numbers leaving the Army bomb disposal unit because they are being paid less than they would receive in the private sector. The Minister of State has not addressed the retention difficulties. The personnel are on pre-discharge leave. The Army bomb disposal unit will face a serious challenge if the exodus continues. The Minister of State needs to do more than simply read out the same waffle we have heard for years. It is the same White Paper waffle we have heard for years when it comes to the pay commission report. The reality on the ground is that the exodus is continuing. Specialist supports are diminishing and the capability of the Army bomb disposal unit to respond will be undermined if the Minister of State continues to keep his head in the sand.

Deputy Paul Kehoe: The Deputy is totally incorrect. I never said anything to that effect. I said we have challenges. I realise the Deputy is in opposition and wants to expand on the meaning of challenges. While we have challenges, we are able to respond to all call-outs we are requested to make by An Garda Síochána in respect of giving aid to the civil power. If the Deputy is aware of an incident to which we were not able to respond, maybe he will tell me about it. He sits in silence.

Deputy Jack Chambers: The Minister of State should respond to the retention crisis.

Deputy Paul Kehoe: He sits in silence.

An Leas-Cheann Comhairle: Members of the Opposition should ask questions and the Minister of State should answer.

Deputy Paul Kehoe: Exactly.

Deputy Jack Chambers: He will not respond to the questions.

Deputy Paul Kehoe: The Deputy has absolutely answered my question. He sits in silence. That is all he can do.

Deputy Jack Chambers: Is the Minister of State denying the exodus?

Deputy Paul Kehoe: I am saying we have challenges.

Deputy Jack Chambers: He is denying the exodus.

Deputy Paul Kehoe: We are consistently and continuously training personnel. They are well equipped.

Deputy Jack Chambers: It is collapsing.

Deputy Paul Kehoe: We are investing more in equipment than the Fianna Fáil Government ever did.

Deputy Jack Chambers: Robot Kehoe.

Deputy Paul Kehoe: When I came into this job, the personnel were totally ill-equipped. One of my priorities was to re-equip them.

Deputy Jack Chambers: Robots over personnel.

An Leas-Cheann Comhairle: We must move on.

Deputy Paul Kehoe: Robots are very much part and parcel of that area. It is very important that we continue to invest in equipment.

Deputy Jack Chambers: Robots over personnel. That is the Minister of State's legacy.

European Defence Capabilities

4. **Deputy Maureen O'Sullivan** asked the Taoiseach and Minister for Defence the relationship between Ireland and the Future Combat Air System, FCAS, and the European defence union. [45509/19]

Deputy Maureen O'Sullivan: I wish to ask the Minister of State about the relationship between Ireland and the Future Combat Air System, FCAS, and the European defence union.

Deputy Paul Kehoe: I thank the Deputy for the question. Ireland does not have any relationship with the FCAS programme, which I understand is a programme operating outside the EU. Ireland does have a relationship with other EU member states in regard to the development of defence capabilities within the treaties as part of the European Defence Agency, EDA, and permanent structured co-operation, PESCO, which we signed up to recently. The EDA is focused on assisting member states in improving defence capabilities through European co-operation. The EDA affords EU member states the opportunity to keep track of best practice in modern technology in the development of capabilities, and supports greater efficiency and competition in the European defence equipment market. The primary reason for Ireland's participation is to support the development of Defence Forces capabilities for peacekeeping and international crisis management operations.

Ireland is involved in a number of EDA projects, including maritime surveillance, cyber, counter-IED, satellite communications and military search. Participation in all of these projects was approved by Dáil Éireann. Ireland is also involved in the EDA Smart Blue Water Camps project. This is a water management project that aims to address environmental concerns with regard to water usage on military bases.

Ireland is participating in two PESCO projects, namely, the European Union Training Mission Competence Centre and the upgrade of maritime surveillance. These projects relate to the ongoing development of Defence Forces capabilities for peace support and crisis management operations.

The establishment of PESCO represents a further development in EU co-operation in support of international peace and security under the Common Security and Defence Policy. Under PESCO, member states come together in different groups to develop and make available additional capabilities and enablers for peacekeeping and crisis management operations. Joint projects should also drive down the costs of developing and procuring capabilities.

Within the EU, it is accepted that defence and security comprise a national competence and that any decisions, including any deepening of EU co-operation, require unanimity. Through our participation in initiatives such as the EDA and PESCO, Ireland continues to have a strong

and equal voice on defence issues within the EU institutions.

Deputy Maureen O’Sullivan: I thank the Minister of State for the reply. Ireland is not involved in the project. It is signed by Germany, France and Spain. It will be the largest arms project in Europe. I am asking my question in the context of some very disturbing speeches by the new President of the European Commission, Ms Ursula von der Leyen. She stated, “For us it is important that over time it becomes a real common European fighter jet system”. She also said, “It was not for nothing that we launched the European Defence Union and the European Defence Fund.” Moreover, she stated, “We will have to develop a common European attitude, since we will harmonise our armed forces together in the European Defence Union”, and, “I am firmly convinced that we will have an army of Europeans in the foreseeable future”. This is all in the context of a growing European militarisation agenda. Ireland’s neutrality is being undermined. It is very much under threat. In the middle of all the speeches, we do not hear Ireland saying it is not part of this because it is committed to neutrality.

Deputy Paul Kehoe: The Irish Government has never interpreted neutrality as meaning Ireland stands aside from international engagement. Rather, it is based on participation and strengthening our ability to make an effective contribution to the promotion of global peace, security and development. Whether through the United Nations, the EU or its own bilateral actions, Ireland acts in an objective, even-handed way in accordance with international norms and the rule of law in international relations and is seen as both an impartial and effective actor in its international relations and in its support of international peace and security.

At every given opportunity, including at European Council meetings, I have continually highlighted Ireland’s policy on neutrality. I have spoken to the Deputy about this at committee level. It is important that we highlight Ireland’s policy on neutrality. Every country is different. Ireland changed the PESCO criteria to suit its traditional neutrality policy.

Deputy Maureen O’Sullivan: The reality is that there are genuine fears that the EU wishes to become a major military power. The air combat system has very significant funding. I saw a figure of €8 billion initially, but it could rise to €100 billion by 2040. I have had the opportunity, through the committee, to attend some of the Common Foreign and Security Policy and Common Security and Defence Policy meetings. At the most recent one, in Helsinki in September, the final statement mentioned that EU defence co-operation should continue to be co-ordinated with NATO and to create synergies for both the EU and NATO. We are in a very alarming time, with increased militarisation and the push for the EU to be a major military power. The Minister of State says he is making statements, but they need to be very strong. Any statements coming out of these committees should refer to neutrality.

Deputy Paul Kehoe: It is up to member states, including Ireland, to decide, in accordance with their respective constitutional requirements and the provisions of the Treaty of Lisbon, whether to adopt a common defence policy. Any decision to move to common defence will require a unanimous decision of the European Council in the first instance, as provided for in the EU treaties. It would then be a matter for member states, including Ireland, to decide, in accordance with their respective constitutional requirements and the provisions of the Treaty of Lisbon, whether to adopt a common defence policy. Ireland remains constitutionally debarred from participation in any such EU common defence in light of the constitutional provisions in the Lisbon treaty protocols, which provide significant protection. Any decision to participate in a defence arrangement would require a decision of the people in a referendum. The protections provided in the protocols to the Lisbon treaty clearly state that Ireland must have a referendum

and that the citizens of Ireland would decide the issue. The matter would not be decided by the Government.

People make statements for different reasons. That does not mean we agree with their statements.

Ceisteanna Eile - Other Questions

Army Barracks

6. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if his attention has been drawn to the dilapidated condition of accommodation blocks that recruits and soldiers are required to live or stay in while receiving training in the Curragh; if his attention has been further drawn to the fact that the Cadet School is operating out of prefabs and that the Army Ranger Wing is located in old stables with no running water; and if a five-year demolition, restoration and construction strategy will be developed in order to address the needs of a modern military training school. [45677/19]

Deputy Aengus Ó Snodaigh: This question relates to the dilapidated condition of accommodation blocks for recruits and soldiers while receiving training at the military training facility in the Curragh. Is the Minister of State aware that the Cadet School is operating out of prefabs and that the Army Ranger Wing is located in old stables with no running water?

Deputy Paul Kehoe: I can confirm to the Deputy that my Department, together with the military authorities, are actively developing a five-year built infrastructural plan. I am advised that this plan, which will address infrastructural requirements for all military installations, is now at a very advanced stage of development and will be completed in the coming weeks.

The plan will provide, for the first time, a blueprint for investment in the Defence Forces built infrastructure over a multi-annual timeframe and will ensure that the required capital funding is allocated in order to ensure that the plan is implemented as intended. The list of works identified as part of this project will be prioritised for delivery based on military needs and will be updated annually to form the basis for the selection of capital projects under the programme into the future.

I am fully committed to the development and improvement of the physical environment and living conditions in military installations throughout the country. The Defence Forces built infrastructure programme is compiled on a priority needs basis by my Department in conjunction with the military authorities.

Some of the key ongoing projects, now under way in improving Defence Forces accommodation and living standards across military installations are as follows. The upgrading and refurbishment of block 7 at Plunkett Barracks in the Curragh Camp, Defence Forces training centre involves the refurbishment of the existing accommodation for 58 personnel to modern standards. The works have now commenced. Work on the upgrading and refurbishment of the existing accommodation for 80 personnel in blocks 1 and 2 at Cathal Brugha Barracks has also

commenced. The refurbishment of the apprentice hostel accommodation block at Casement Aerodrome, Baldonnell, is well advanced and will be completed in early 2020. It will provide classrooms, an auditorium, recreation and improved living in accommodation for 75 personnel. The refurbishment of the dining hall at Custume Barracks, Athlone, started in 2018 and I hope to open it in early 2020. The scope of the works includes the refurbishment and upgrading of the existing dining hall.

I am confident that this increased level of building construction will continue into 2020. Last week, I announced two new gymnasias in Kilkenny and Limerick. The refurbishment and upgrading of block 8 at the naval base in Haulbowline will deliver additional accommodation on top of the existing provision of 210 bed spaces that are already provided at there. It is intended that the work on the block 8 site will commence in 2020. Work will commence on the upgrade of the former university student administrative USAC complex in Galway. The building is designed to accommodate 120 persons living in single rooms.

While both projects are at an early stage of design development, it is expected that construction works will commence in late 2020. The level of investment illustrates the importance I attach to ensuring that the quality of the Defence Forces built infrastructure meets with the expectations of serving personnel.

Additional information not given on the floor of the House

On the specific points raised by the Deputy, I am advised by the military authorities that there are ablution facilities available for Army Ranger Wing personnel. I also understand that the Cadet School's offices are currently housed in modern prefabricated buildings. The Defence Forces are developing proposals for the procurement of a design team to develop proposals for a long-term building solution. I have already referenced the works under way in terms of the upgrading and refurbishment of block 7 at Plunkett Barracks in the Curragh Camp.

This year, €28 million was allocated towards the maintenance of existing buildings and the development of new building projects for the Defence Forces. This represents an increase of more than €10 million compared with 2018. I can confirm that it is intended that the budget allocation will be matched in the coming years in order to ensure that the level of building activity is in line with Defence Force requirements.

Deputy Aengus Ó Snodaigh: I welcome all those projects. I visited several barracks recently, not just to the Curragh Camp, to which this question specifically relates, and seen the dilapidated state they are in. There is a need for a blueprint for the refurbishment and construction of facilities. I welcome the fact that, after 11 and a half years in the job and as this Government nears the end of its term of office, the Minister of State is finally putting together a five-year plan.

Members of the Joint Committee on Foreign Affairs and Trade, and Defence visited the Curragh Camp recently and we saw for ourselves the dilapidated conditions there. We saw the sewage stains that had run down the walls of some of the shower blocks and toilets in quarters in which raw recruits are supposed to live. I accept that part of joining the Army or the Defence Forces is to be toughened up but I would not expect anybody to have to live in the conditions I saw. I also accept that there have been improvements in some blocks but the conditions in others are a complete disgrace in this day and age. It is not just the living quarters, the Cadet School operates out of prefabs. The military hospital is not fit for purpose in any shape or form.

The supposed elite unit, the Army Ranger Wing, is operating out of old stables with no running water. That is a living disgrace in this day and age. More than 100 buildings on the site need to be demolished. While the Army might have the explosives required to demolish them, there is no point demolishing old buildings unless there are replacements. When will a plan and funding be put in place to address dilapidation at the Curragh Camp?

Deputy Paul Kehoe: Members of the Joint Committee on Foreign Affairs and Trade, and Defence were taken on a detailed tour of the accommodation in the Curragh Camp. They got to see areas that have been the subject of significant investment, a matter that Deputy Ó Snodaigh failed to mention. While some areas need significant investment, the refurbished blocks are of a good standard. The portfolio of Department of Defence properties includes many buildings that are very old and that require significant investment. We are catching up on increasing the amount we are spending following the period between 2008 and 2016, when funding was very limited.

We have invested heavily in the Curragh Camp in recent years but I accept more funding is needed. Anyone going through the Curragh Camp will see the extent of old buildings that require millions of investment. Between 2016 and 2018, we spent €17 million on projects in blocks B and D of Pearse Barracks. Even Deputy Ó Snodaigh will accept that is a significant amount of money. This year, we are putting €3.5 million into maintenance and improvements in the Curragh Camp. We commenced a €2 million project at block 7 of Plunkett Barracks.

Deputy Ó Snodaigh mentioned the Army Ranger Wing. I understand that the committee did not visit the wing's accommodation or go inside its walls. The Army Ranger Wing is not located in old stables. Running water and appropriate ablution facilities are available to members of the Army Ranger Wing. I do not know where the Deputy got his information but it is incorrect.

Deputy Aengus Ó Snodaigh: In response to the final comment of the Minister of State, I can only go on the information I was given by the staff in the Curragh who brought us on the tour. It was not just me who heard the comments relating to the Army Ranger Wing. We were not allowed on that part of the campus because we were only there to visit the training wing.

When will the Minister of State increase the number of maintenance staff to address the broken windows, showers and sewerage facilities? The number of maintenance staff in the Curragh Camp was 200 but it is now 30. The sum of €3.5 million will not address that. When will the Minister of State increase the number of maintenance staff to the previous level given the size and number of buildings to be maintained until such time as the five-year or ten-year plan is introduced or whatever length of time it will take to address the dilapidation and disgraceful living conditions. Raw recruits, cadets and sometimes overseas cadets from Malta, for example, some of whom we met, are expected to live, work and try to survive in those conditions. When will action be taken to address the level of dilapidation?

Deputy Paul Kehoe: Deputy Ó Snodaigh knows that a significant amount of investment is going into Army barracks, education, health and other facilities. His party is becoming like Fianna Fáil in that it is just looking for more money and there is no accountability for anything. They just want to spend, spend, spend.

Deputy Aengus Ó Snodaigh: The sum of €25 million was left over from last year.

Deputy Jack Chambers: Are they not worth it?

Deputy Paul Kehoe: I have seen Sinn Féin's spending document and if I were Deputy Ó Snodaigh I would not comment.

Deputy Aengus Ó Snodaigh: A total of €25 million was left from last year's budget.

An Leas-Cheann Comhairle: Let us have some order. The Minister of State should be allowed to speak without interruption.

Deputy Paul Kehoe: There has been significant investment in the Curragh Camp in recent years. When we entered Government, no money had been spent on the camp since 2008 and no money was spent on it in our first five years in government, so we had to play catch-up in respect of the eight or nine years when no money was spent. We are spending millions of euro on the Curragh Camp to upgrade its facilities. The Deputy should recognise that there has been significant investment, rather than talking only about the negatives.

Deputy Aengus Ó Snodaigh: I have no problem recognising that.

Deputy Paul Kehoe: There are significant positive aspects too. I hope the Deputy recognises that a large number of buildings are outdated and not fit for purpose.

Deputy Aengus Ó Snodaigh: I said 100 buildings needed to be destroyed in the morning.

Deputy Paul Kehoe: Unfortunately, we cannot destroy them for heritage and other reasons.

Deputy Aengus Ó Snodaigh: There is €30 million left over from the Department of Defence Vote that could be spent.

Deputy Paul Kehoe: There is not €30 million left over. If the Deputy examined the figures, he would see the correct amount of money.

Deputy Aengus Ó Snodaigh: It was €29 million last year, €20 million the year before, €24 million the year before that and €25 million prior to that.

Defence Forces Representative Organisations

5. **Deputy Bríd Smith** asked the Taoiseach and Minister for Defence if he will accept the affiliation of a union (details supplied); and if he will make a statement on the matter. [45762/19]

10. **Deputy Martin Heydon** asked the Taoiseach and Minister for Defence the progress being made in considering Defence Forces representative organisations' affiliation with a union (details supplied) as a means to address the interests of Defence Forces members in the future; and if he will make a statement on the matter. [45766/19]

An Leas-Cheann Comhairle: Questions Nos. 5 and 10 are being discussed together. As Deputy Bríd Smith is not here, Deputy Heydon may take the question.

Deputy Martin Heydon: We were caught in traffic this morning due to the rain. Will the Minister of State provide an update on the progress made in considering the Defence Forces representative organisations' affiliation with the Irish Congress of Trade Unions, ICTU, which has been discussed and is under review as a means to address the interests of members in the future? What are the Department's considerations in that regard?

Deputy Paul Kehoe: I propose to take Questions Nos. 5 and 10 together.

Section 2(3) of the Defence (Amendment) Act 1990 prohibits the Defence Forces representative associations from being associated with or affiliated to any trade union or any other body without the consent of the Minister. Members of the Permanent Defence Force also cannot become members of a trade union. To compensate for these limitations, a range of statutory redress mechanisms is available to serving members, including the redress of wrongs, an Ombudsman for the Defence Forces and a conciliation and arbitration scheme for members of the Defence Forces.

In 2017, the European Committee of Social Rights, in a non-binding ruling, upheld the prohibition of the right of military personnel to strike but concluded that Ireland was in violation of Article 5 of the European Social Charter on the grounds of the prohibition against military representative associations from joining national employee organisations and in respect of Article 6.2 of the charter regarding the right to bargain collectively.

It should be noted that the basis for this complaint predates a number of significant Government initiatives. With regard to collective bargaining, the Permanent Defence Force representative associations were afforded equal standing to other public sector trade unions and representative associations during the negotiations which led to the Public Service Stability Agreement 2018-2020. The findings of the European Committee of Social Rights were considered as part of an independent review of the conciliation and arbitration scheme for members of the Permanent Defence Force, which was completed last year. One of the recommendations from that review was that the official side should, with the consent of the Minister, engage in discussions with ICTU to explore the practicalities of a PDF representative association forming association or affiliation with ICTU, while giving due consideration to any likely conflict that might arise between such an arrangement and the obligations of military service.

Association with ICTU poses complex questions for the Defence Forces from a legal, operational and management perspective. I asked my officials to examine this matter further and defence management, both civil and military, has engaged in discussions with ICTU. Defence management has met the Permanent Defence Force representative associations, the Representative Association of Commissioned Officers and the Permanent Defence Force Other Ranks Representative Association to discuss this matter. I have also discussed the matter of ICTU affiliation or association with RACO and PDFORRA. I am aware of PDFORRA's long-standing desire to affiliate with ICTU. I am also aware that RACO has a conflicting position on this matter. The implications of possible association or affiliation are being carefully considered.

Deputy Martin Heydon: I thank the Minister of State. The Public Sector Pay Commission report, which has now been accepted by the representative bodies, provides for a €10 million additional package for the Defence Forces. This is welcome but it is not a solution in itself. It will not fix the recruitment and retention issues, although it is an important step in the right direction. I recently visited the Curragh Camp with other members of the Joint Committee on Foreign Affairs and Trade, and Defence. Not only did we see the buildings in the Curragh Camp, we had meaningful engagement with key personnel, from privates through to colonels, including when senior management left the room and left the politicians with the troops. A number of issues arose. The review of pay is a key consideration. Even members who do not want to leave the Defence Forces referred to the extra stress and strain being placed on them as a result of the loss of personnel in their units. Affiliation with ICTU was also raised. While this is not something a soldier necessarily wants or desires, there was a recognition that something

has to change.

Deputy Paul Kehoe: In 2017, the European Committee of Social Rights considered a complaint submitted by the European Organisation of Military Associations and Trade Unions, EU-ROMIL, on behalf of PDFORRA, concerning the lack of certain rights for military representative associations in Ireland. I am acutely aware of everyone's concerns in this regard, including those of military management and RACO, and I am considering the matter. I am aware of the concerns of the Chief of Staff and I am engaging with him on this matter. I informed him I would speak to him before making any decision regarding the association of PDFORRA with ICTU. This is a sea change and I am being careful regarding any decision the Government will make. I am also aware of the comments made by ICTU officials at the PDFORRA annual delegate conference in this regard. We have to take into consideration the ruling in the EUROMIL case. All Members of the House voted in favour of a Private Members' motion tabled by Fianna Fáil which proposed to facilitate affiliation with ICTU. I supported the motion, as did Sinn Féin, the Labour Party and Independents.

Deputy Martin Heydon: I am aware of the concerns among general staff, including the concern raised by RACO that this approach would not be its first choice. ICTU has an opposing view and sees this as the right way to go. Ultimately, the public sector pay talks have failed personnel in the Defence Forces in the past. That is at the heart of whatever we decide to do. I do not think there is any fear of soldiers ever engaging in a green flu protest or striking. It is not in their nature or in the oath they take. When I say that there has been a failure in public sector pay talks, that is not a slight on the representative bodies. The structure is wrong. Some have suggested that we could have an independent pay review. That would again leave the Defence Forces outside the room when everybody else was talking, which would be a mistake. The idea of soldiers being treated the same as everybody else and being at the heart of the pay talks is key. Do other EU countries allow military personnel to have trade union status or affiliate to national trade union bodies? What is the experience of those countries? We should make such an international comparison before making a substantial decision on this issue.

Deputy Paul Kehoe: There are other countries with associate and full membership. The Belgian Armed Forces have full trade union status. Belgium allows affiliation to national trade union bodies. Danish Defence has full trade union status but not the right to strike. Denmark allows affiliation to national trade union bodies. The Swedish Armed Forces have full trade union status. They have the right to strike but that right is curtailed in times of crisis. They are allowed to affiliate to national trade union bodies.

If the Defence Forces were to affiliate to trade unions, I would be totally opposed to them having a right to strike. Affiliation would be related to pay and having ICTU representation at the public service pay talks. We have to improve PDFORRA's and RACO's representation at the public service pay talks. They should be at the table with every other representative association. There are terms and conditions related to ICTU allowing them to come to the table because they do not have full affiliation. I am not talking about full affiliation, since the representative organisations are seeking associate status. I assure Deputy Heydon, the Chief of Staff and this House that, whatever decision I make, I will consult widely about trade union status, affiliation or association with ICTU. The ICTU has also come back on this and meaningful negotiations are going on between my Department and ICTU on the specific case. I have spoken to PDFORRA and also to RACO about its concerns.

An Leas-Cheann Comhairle: Thank you. It is a bad day at the office. We are only moving

to the seventh question. I call Deputy Chambers.

White Paper on Defence

7. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence if he will provide a report on the White Paper on Defence update; and if he will make a statement on the matter. [45728/19]

Deputy Jack Chambers: I ask the Minister to report on the White Paper on Defence update. It is four years since the White Paper was published. It states:

The Government intend to put in place a new fixed cycle of defence reviews. These are common practice internationally and give reassurance that policy remains up to date and relevant to changing...circumstances... Under this programmed approach, the first White Paper update would commence in July 2018...

Will the Minister of State give an update on that? Did it commence on time? Are there any revisions to the White Paper? We need a full update.

Deputy Paul Kehoe: I thank the Deputy. The White Paper on Defence sets out the Government's decision to put in place a fixed cycle of defence reviews. These are common internationally and give assurance that policy remains up to date and relevant to changing future circumstances. The White Paper provides that these reviews are to have a three-yearly cycle, with every second review being more comprehensive in nature and styled a strategic defence review. The White Paper specified that the first in this new cycle of reviews would be a White Paper update.

A joint civil-military working group formally commenced work on the White Paper update in July 2018, as laid down in the White Paper, and work on the update is now complete. The completion of the update was led by me, while the process was managed by a high-level joint civil-military steering group. Beneath this, a working group comprising civil and military representatives has worked in support of the steering group.

The process undertaken to carry out this update looked at three broad strands. The first of these strands was a security environment assessment. An interdepartmental and inter-agency defence and security environment assessment group was established to review and update the security environment assessment. The work of this group was led by the Department of Defence and also comprised representatives of the Departments of the Taoiseach; Justice and Equality; Foreign Affairs and Trade; and Communications, Climate Action and Environment; as well as the Defence Forces and An Garda Síochána. This was done in order to situate appropriately the defence policy response in terms of the lead or supporting roles that defence plays.

The second strand dealt with progress on White Paper implementation. Since publication of the White Paper, a total of 95 separate projects have been identified for completion over a ten-year period. The White Paper update includes a review of overall progress on all 95 White Paper implementation projects broken down by their chapter in the White Paper and categorised based on their life cycle, from "not initiated" through to "closed".

Additional information not given on the floor of the House.

The third strand concerned consultation with the Oireachtas. The Government's view has been that defence matters should ideally attract all-party support and there is an acknowledgement in the White Paper of the strong tradition within the Chambers of the Oireachtas of support for national interest defence issues. In this spirit, I met with members of the Joint Oireachtas Committee on Foreign Affairs and Trade, and Defence, on 5 March 2019 in regard to both the White Paper update and the process of establishing the fixed cycle of defence reviews. Following my consideration, the White Paper update will be placed before Cabinet and subsequently published on my Department's website.

Deputy Jack Chambers: What impact has that had on the retention crisis in the context of the implementation of the White Paper? There is a serious concern that all of the commitments mentioned in the White Paper have taken a complete back seat since the Minister of State published the Public Service Pay Commission report, and there is a complete information vacuum for the representative associations. The Minister of State has given little detail about what the outcome of the White Paper update is. Will he publish it? Many of the remarks he made at the Oireachtas committee were that he is reviewing the White Paper, and there is this ongoing review nonsense that he mentioned previously. He should publish it, review it and then update it, but that has not happened under his watch, despite the commitments. We have had no progress or update on the White Paper and there is a clear vacuum, as I said.

The representative associations want an update on the technician pay 2-6 review. Instead of it being another review, when will the outcome be outlined for the representative associations? To go back to the issue of the Army bomb disposal unit, which is a retention issue in the White Paper, the reason there can be a response is that people have to work 168 hours a week, 365 days a year, when they are not paid for that. This is why the Minister of State can respond. However, if he was to measure the capability, it is simply not there.

Deputy Paul Kehoe: I presume the Deputy's text message was a bit delayed coming in. First, one of the reasons the White Paper has not been published is that despite the fact I wrote to the committee, on which the Deputy sits, in early 2018, the earliest I could get in to discuss the White Paper was 5 March 2019. That delayed it for a considerable number of months. I tried and I wrote to the committee again. When I did get to the committee, however, Deputy Chambers never spoke to me about the White Paper and he spoke to me about everything else bar the White Paper. In fairness, Deputies Aengus Ó Snodaigh and Maureen O'Sullivan were the only two who actually spoke about the contents of the White Paper.

Deputy Jack Chambers: Is the Minister of State saying it is the committee's fault?

Deputy Paul Kehoe: The White Paper update has not gone to Cabinet-----

Deputy Jack Chambers: A year later.

Deputy Paul Kehoe: -----so it would be totally inappropriate for me to discuss the details within the update prior to Cabinet scrutiny. I can assure the Deputy that recruitment and retention remains one of the key priorities for me, as Minister of State. It is entailed in the White Paper, it is in the implementation plan and it is in the Public Service Pay Commission report. There is much work ongoing on recruitment and retention because this is a major challenge for Government, for the Defence Forces and for me, as Minister of State.

An Leas-Cheann Comhairle: We are over time. I call Deputy Chambers for a final question. It has been a very bad morning and we are only on Question No. 7.

Deputy Jack Chambers: At that committee, I asked about the recruitment and retention crisis in regard to the White Paper. If that does not fit the Minister of State's priorities on the White Paper, what on earth is he doing in his ministerial office? Can the Minister of State outline the successful projects that have concluded as a result of the White Paper? Can he outline the position on the tech 2-6 review and when it will be completed? This is the problem: the Minister of State said he would update the White Paper in 2018 and we are at the end of 2019 and he has not even brought it to Cabinet. If that is going to be the outcome of the review process for the Public Service Pay Commission timeline, which is already delayed, and the Minister of State has admitted he has not even matched the outcomes that were mentioned, then we are going to see the collapse and exodus continue. The Minister of State is not matching the timelines he was supposed to adhere to - that is the issue. He should list the successful outcomes of the White Paper, list the outcome of the tech 2-6 review and tell us when he is going to publish the update, rather than just attacking back. He is the one who has to be held to account.

Deputy Paul Kehoe: I have no issue whatsoever with being held accountable. What I am saying is that it was within the agreement of the White Paper that I would have to bring it to the committee, a committee on which the Deputy sits. I waited for months and months to get into the committee to have this signed off on.

Deputy Jack Chambers: It is not the committee's fault.

Deputy Paul Kehoe: Had I got into the committee when I wrote to it originally, I would have had this published. The Deputy is failing in his responsibilities as a committee member.

Deputy Jack Chambers: I am not a committee member. I attend on defence issues.

Deputy Paul Kehoe: The Deputy is not a member of the defence committee. He is the spokesperson on defence but he is not a member of the defence committee. That says a lot.

I am bringing the White Paper update to Cabinet and it would be totally inappropriate for me to discuss it here in the Chamber before bringing it to Government. However, I have no problem whatsoever in discussing the update of the White Paper with the Deputy or anybody else once I bring it to Cabinet.

UN Missions

8. **Deputy Jack Chambers** asked the Taoiseach and Minister for Defence the new United Nations missions he expects the Defence Forces to undertake in 2020; and if he will make a statement on the matter. [45727/19]

Deputy Jack Chambers: I want to ask the Minister about the new United Nations missions he expects the Defence Forces to undertake in 2020.

On the previous issue, I will have to raise that with the Chairman of the committee, my party colleague, Deputy Brendan Smith, who I think the Minister of State has smeared here today by saying he would not facilitate the White Paper review, and given the fact Minister of State is pinning the blame for the lack of outcomes from the White Paper on the Oireachtas committee and on the Members of this House. The failing in defence rests with the Minister of State. He has absolutely collapsed our Defence Forces. He has no confidence among the military community, and no one has any praise for any of the measures he has announced. Stop trying to

project blame onto other people. I think it is a shocking smear on the Chair and I am sure he will respond to the Minister of State on that.

Deputy Paul Kehoe: I have the correspondence to hand. I wrote to the committee and I had to wait a number of months to get into the committee.

An Leas-Cheann Comhairle: Let us focus on Question No. 8.

Deputy Paul Kehoe: I did not smear anybody. The Deputy should talk to his party leader and ask to see if he could become a member of the committee.

An Leas-Cheann Comhairle: The clock is ticking. Let us move on.

Deputy Paul Kehoe: As of 3 October 2019, Ireland is contributing 692 personnel to ten different missions throughout the world and also to a range of international organisations and national representations. The main overseas missions in which Defence Forces personnel are currently deployed are the United Nations Interim Force in Lebanon, UNIFIL, with 459 personnel, and the United Nations Disengagement Observer Force, UNDOF, in Syria, with 135 personnel. The UNIFIL mission in Lebanon continues to represent Ireland's largest overseas deployment.

Ireland deployed an additional contingent of approximately 106 Defence Force personnel to the UNIFIL mission following the departure of the Finnish-Estonian contingent in November 2018. Arrangements are in place with the United Nations for Poland to partner Ireland in UNIFIL from November 2019. Ireland will reduce its contribution of troops in UNIFIL from 459 to approximately 340 personnel, and Poland will provide some 220 personnel. Hungarian personnel will also deploy as part of the Polish contingent.

Government and Dáil approval were received last June for the deployment of a contingent of the PDF to participate in United Nations Multidimensional Integrated Stabilization Mission in Mali, MINUSMA. The latter was established under UN Security Council Resolution 2100 of April 2013. The mission is tasked primarily with providing support to transitional governmental authorities in Mali in efforts to stabilise the country.

In September, two officers deployed to Bamako, where the MINUSMA force headquarters are located. An additional 11 personnel drawn from the Army Ranger Wing deployed with the German armed forces to Camp Castor in Gao, Mali, and are carrying out assigned tasks in accordance with the mission mandate.

The Department of Defence constantly reviews the deployment of Defence Forces personnel overseas. Ireland receives requests from time to time to participate in various missions and these are considered on a case-by-case basis. There are currently no requests for the Defence Forces to participate in any new missions in 2020.

Deputy Jack Chambers: As of 4 September, Ireland was contributing 651 personnel to UN missions and 27 to a range of international organisations and national representations. This compares with 761 in 2009 but is greater than the 426 personnel deployed overseas five years ago. Are there any other deployments in the pipeline? Opportunities to serve on UN missions, as the Minister of State knows, are popular with members of the Defence Forces because of the experience they offer and for financial reasons. We all know that, now more than ever, incentives are important in order to retain personnel in the Defence Forces. It is also important to note the Naval Service's role in the Mediterranean and the rescuing of refugees, which is

important in a political context. Has the Department conducted any discussions at an EU level in order that the Naval Service may have a role in this regard in the future? Is there an examination of this for 2020? It helped to retain personnel when Operation Sofia ended, which had a negative effect in the context of retention.

Deputy Paul Kehoe: I reiterate that, as of 3 October last, 692 personnel were on ten different missions: 441 in UNIFIL; 12 in Israel and Syria; three in MINURSO, in Western Sahara; 135 in UNDOF; 13 in MINUSMA; five in EUFOR, in Bosnia and Herzegovina; 20 in EUTM Mali; 12 in KFOR; and three in the Operation Sofia headquarters. The Department of Defence constantly reviews the deployment of Defence Forces personnel overseas, and Ireland receives requests from time to time to participate in various missions. These are considered on a case-by-case basis by the Department and the Defence Forces, having regard to the safety of the mission. Currently, however, there are no requests for the Irish Defence Forces to participate in any new missions in 2020.

I will meet Jean-Pierre Lacroix when he comes to Ireland at the end of November. He is the Under-Secretary-General for Peace Operations.

An Leas-Cheann Comhairle: I will give the Minister of State another opportunity.

Deputy Paul Kehoe: I will talk to him-----

An Leas-Cheann Comhairle: The Minister of State is depriving Members of the opportunity to ask questions.

Deputy Paul Kehoe: -----about the missions that are in operation and whether there are any other requests.

Deputy Jack Chambers: What is the optimum number of personnel we can have deployed at any one time, taking into account especially the retention crisis? Is there a concern that we cannot deploy as many as we have requested? This is often raised in the public domain. Can the Minister of State clarify the matter? Is there scope to provide additional numbers abroad if the demand is there? As we know, the UN missions tend to be overwhelmingly dominated by the Army. Are there any other new avenues of participation for the Air Corps or the Naval Service? As I mentioned, our role in the Mediterranean was very positive for the Naval Service. It would like to participate in that operation again. Operational involvement assisted with retention of personnel. Has the Minister of State been obliged to reject any requests for participation in UN operations in recent times because, following discussions with military management, he has not been able to provide the personnel requested by international organisations?

An Leas-Cheann Comhairle: I will allow two further supplementary questions, one from Deputy Broughan and one from Deputy Ó Snodaigh.

Deputy Thomas P. Broughan: The Minister of State has given an answer about the requests for this year, but have there been any further requests from the UN or European Union colleagues? President Macron, I think, and Chancellor Merkel recently spoke about northern Syria and protecting the Kurdish and Yazidi peoples there. Are we part of an international force to do that?

Deputy Aengus Ó Snodaigh: I hope the Minister of State will be able to answer my question in the positive. Can he reassure us that in 2020 there will be repeat of the cock-ups that oc-

curred last year regarding personnel travelling out to and returning from UN missions whereby people were left waiting because the return of their loved ones was delayed by a week or so?

Deputy Paul Kehoe: I will respond to Deputy Ó Snodaigh's question first. Much of that is totally beyond our control. The Deputy wants to blame the Government - that is what one does when in opposition - or blame me-----

Deputy Aengus Ó Snodaigh: I was not blaming the Minister of State for once.

Deputy Paul Kehoe: -----but I assure him that I have spoken to Jean-Pierre Lacroix and our ambassador in Lebanon about this issue. If the deployment finishes on the first day of a given month, we should never specifically state that it will finish on the first day but rather that it will finish in and around that week because, crossing the border, very significant diplomatic incidents happen and problems and issues arise. On the most recent such occasion, I had to contact my counterpart in Lebanon directly, who was able to resolve the issue for me. When we go out on peacekeeping duties under the blue helmets we should be accommodated in every way. Unfortunately, the smooth running does not always happen.

To answer Deputy Broughan's question, there are currently no requests for the Defence Forces to participate in any new missions in 2020.

To answer Deputy Jack Chambers's questions, we have responsibilities at home and overseas, so in any overseas deployment or mission in which we participate we must consider our responsibilities on this island as well. More importantly, we must look at the security situation of any mission. That is my number one priority. It is also a priority for the Defence Forces, the Department and Government.

Defence Forces Strength

9. **Deputy Bernard J. Durkan** asked the Taoiseach and Minister for Defence the extent to which retirements from the Defence Forces have been filled by new recruits with a view to ensuring that the strength of the Army, the Naval Service and the Air Corps remains in line with targets; and if he will make a statement on the matter. [45735/19]

Deputy Bernard J. Durkan: I am seeking to ascertain the extent to which resignations or retirements from the Defence Forces are being compensated for by recruitment in order to keep the strength of the forces at optimum levels.

Deputy Paul Kehoe: The military authorities have advised that the strength of the PDF across all services on 30 September 2019 was 8,654 personnel. While I am very much aware that there continues to be a shortfall between the current strength figures and those of the establishment, I remain committed to restoring the strength of the Defence Forces to 9,500 personnel.

The 2019 recruitment campaign for the Defence Forces is ongoing, with 528 new entrants having been inducted so far this year. The Defence Forces recruitment process is subject to continuous monitoring and appraisal to ensure that it remains fit for purpose.

The Government has acknowledged that there are recruitment and retention issues in the Defence Forces that must be addressed. It is a fact that members of the PDF are being attracted to jobs elsewhere in a buoyant labour market. In light of the particular difficulties faced by

the defence sector, the Government tasked the Public Service Pay Commission to undertake a comprehensive evaluation of recruitment and retention issues in the PDF.

The commission's report, which has been accepted by Government, contains a broad range of recommendations which will provide immediate benefits to members of the PDF as well as initiatives that will lead to further improvements. Immediate measures include a 10% increase in military service allowance, MSA; the restoration to pre-Haddington Road levels of certain specific Defence Forces allowances; the restoration of premium rates for certain weekend duties; and the return of an incentive scheme to address pilot retention issues in the Air Corps.

I very much welcome the fact that both RACO and PDFORRA have accepted these recommendations, which are being implemented.

The report also contains a range of recommendations aimed at improving workforce planning, recruitment and conditions of service. The report also provides for an examination of pay structures in the PDF and identifies further retention measures within the context of the public service stability agreement and future public sector pay negotiations.

The Government has prepared a detailed implementation plan setting out timelines and objectives, indicating the commitment to deliver on the pay commission's recommendations. Work on implementing the plan is under way and, under my direction, is being prioritised by civil and military management.

I am confident that all the measures contained in the plan, coupled with pay benefits being delivered by the Public Service Stability Agreement 2018-2020, the most recent being a 1.5% increase on 1 September, will address the recruitment and retention challenges experienced by the PDF.

Additional information not given on the floor of the House

It should be noted, however, that as the Government's plan contains short-, medium- and long-term measures, the full impact of these measures will take time to determine. There are also a range of external variables which impact on recruitment and retention and which can change. The capacity of the Defence Forces to undertake the tasks assigned by Government will continue to be carefully monitored, having regard to the implementation of the recommendations of the pay commission and other actions which are under way.

Deputy Bernard J. Durkan: Has the Minister of State set particular targets or specified a timeline for achieving targets on an ongoing basis to catch up through replacing retirees with new recruits?

Deputy Paul Kehoe: I absolutely have. A plan is being implemented in conjunction with the Public Service Pay Commission. There is a joint civil and military working team working on that at the moment in a dedicated office, looking at all the recommendations of the independent pay commission report. We are also looking at non-pay issues such as hot-desking, family-friendly overseas appointments, family-friendly measures for couples, career breaks, a shorter working year, coaching and mentoring.

I spoke previously about a review of recruitment within the Defence Forces. We can improve on recruitment. I have asked for an independent person, Mr. Pdraig Love, to look specifically at recruitment and I have signed off on his appointment. My priority is to get back to

9,500 personnel, and we are doing everything we can to get back up to that number.

Deputy Bernard J. Durkan: Will the Minister of State indicate when that target of 9,500 might be reached? Will that be in six months or a year? Such an indication could eliminate the doubt about the direction in which the strength of the Defence Forces is going.

Deputy Paul Kehoe: We are competing against a buoyant economy with full employment. The trend over many years has been that, when the country has full employment, the Defence Forces suffer. It will be of concern to the Deputy, and all Members, that we are preparing a detailed submission and argument for the next round of the public service pay talks. The Defence Forces are a unique organisation. I am looking to make sure that we have everything credible ready for the next round of talks. That is part of the implementation plan that was a part of the independent pay commission report.

Question No. 10 answered with Question No. 5.

Defence Forces Medicinal Products

11. **Deputy Aengus Ó Snodaigh** asked the Taoiseach and Minister for Defence if his attention has been drawn to the fact that members of the Defence Forces are the only soldiers in the various missions in Mali that are required to take Lariam; and when he will abide by the instructions of Dáil Éireann to cease the use of the drug of first choice in preventing malaria in view of the fact that most other military authorities have switched to alternative anti-malaria drugs and that already some of those in the latest deployment have had an adverse reaction to a drug no longer on public sale here. [45675/19]

Deputy Paul Kehoe: The Defence Forces are currently providing support to two separate missions in Mali. EU Training Mission, EUTM, Mali is part of a wider EU effort in support of international peace and security in the wider Sahel region. The mission is being undertaken at the request of the Malian Government and has the support of a UN Security Council resolution.

In addition, Government and Dáil approval was received in June of this year for the deployment of a contingent of the Defence Forces to participate in MINUSMA, the United Nations authorised operation in Mali. MINUSMA was established under UN Security Council Resolution 2100 of April 2013. The mission is tasked primarily with providing support to transitional governmental authorities in Mali in efforts to stabilise the country.

I am advised that there are three anti-malarial drugs, namely, Lariam, Malarone and doxycycline, which continue to be used in the Defence Forces. As I indicated to the Deputy in response to the Private Members' motion of 28 June 2017, the use of anti-malarial drugs is a medical matter that should be decided by qualified medical professionals. In the Defence Forces, these are matters for highly qualified medical officers having regard to the specific circumstances of the mission and the individual member of the Defence Forces.

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

The Deputy will be aware that the State Claims Agency manages personal injury claims, including personal injury claims relating to the consumption of Lariam taken by current and former members of the Defence Forces. Given that there is litigation pending in these matters, the Deputy will appreciate that it would be inappropriate for me to comment further.

Deputy Aengus Ó Snodaigh: I did not ask the Minister of State to comment on current cases or in any way stray into those cases. I am well aware of them, as is the Minister of State, because we have raised those issues in the House.

One part of this question is to do with Mali. The information I have is that a number of the 33 members of the Defence Forces in Mali have had to switch from Lariam to doxycycline because of a reaction to Lariam. It is good that they are on a different drug, but the fact that Lariam was there in the first instance shows that a poison is being given regularly to Defence Forces members on missions overseas, endangering them and possibly also endangering civilians, as has happened in the past. We have seen that from international and parliamentary inquiries in other jurisdictions, including Canada.

The key part of this question is why the Government has not complied with the directions of the Dáil, which passed a motion acknowledging the serious side effects of Lariam on members of the Defence Forces, the failure to implement a comprehensive screening programme to monitor the effects from 2000 onwards, the fact that many world militaries have banned Lariam, and that those who take it are three to five times more likely to be at risk of suicide. A majority of the Dáil specifically called on the Government to instruct the military authorities to cease the administration of Lariam immediately. That was more than two years ago. When will the Minister of State implement those calls from this Dáil?

Deputy Paul Kehoe: I have stated to the Deputy on many occasions that, fundamentally, the choice of malaria chemoprophylaxis for use in the Defence Forces is a medical matter that should be decided by qualified medical professionals. I hope the Deputy accepts that it is up to a medical professional to prescribe whatever medication anybody should take. It would be totally inappropriate to recommend that someone go to a Member of the Oireachtas, rather than a GP, for medical advice. I have stated to the Deputy, this House and many others on numerous occasions that neither I, nor Deputy Ó Snodaigh, nor the Members of this House are medically qualified to prescribe what drug anybody should take. Everybody has different circumstances depending on the mission in which they are engaged, and these factors are all carefully considered when people are prescribed any sort of medication.

Deputy Aengus Ó Snodaigh: I would never suggest that we should take on the role of medical professionals. I ask the Minister of State to look at the evidence throughout the world where the medical profession has told other militaries that there is a major concern over Lariam and that those who take it are at considerable risk of suicide and other mental health effects. That is why it is banned by other militaries: not on the basis of their parliaments or military authorities but on the basis of medical evidence. I have asked the Minister of State, and Ministers who have preceded him, to look again and instruct the military authorities to carry out a review. That has not been done. The Dáil passed a motion asking the Minister of State to do that and asking him to ensure that a plan of action was drawn up to help those who have suffered the consequences of taking a drug, a poison, that the Minister of State has allowed the military authorities to continue to administer. The State has, on other occasions, banned poisonous substances that were administered by the system, such as thalidomide. There have been occasions when political offices in Ireland have

12 o'clock

stepped in and demanded the end of the administration of a product that is killing people or having a severe effect on them. This is such a case.

Deputy Paul Kehoe: I restate something I stated at the time of the Private Members' motion and have stated on numerous occasions in the Dáil. The prescription of drugs is a matter for the medical practitioners within the Defence Forces.

As the Deputy knows, the work of the Lariam report implementation group is ongoing. It is doing a lot of work. The group was established to implement the recommendations of the second report of the malaria chemoprophylaxis working group, which was established to review various issues, including those arising from the use of Lariam, particularly in the context of current and potential litigation. The recommendations focused on a number of-----

Deputy Aengus Ó Snodaigh: It was withdrawn from sale by the company.

Deputy Paul Kehoe: As I have said on numerous occasions, the company did not pull out of Ireland as a result of the use of Lariam by the Defence Forces-----

Deputy Aengus Ó Snodaigh: Is the Government buying it off the black market then?

Deputy Paul Kehoe: -----but for reasons of its own accord.

Written Answers are published on the Oireachtas Website.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Dara Calleary: I would like to begin by referring to something Jonathan Swift wrote in 1710, and the sentiment of which is even more relevant today in the context of false media and false news: "Falsehood flies, and truth comes limping after it, so that when men come to be undeceived, it is too late; the jest is over, and the tale hath had its effect." I mention this in the context of the need for a vibrant and independent media. All of the elements of public service broadcasting, as an ethos, are important parts of this equation that are sometimes taken for granted, particularly by the Government. We read late last night that RTÉ plans to save €60 million over the next three years by imposing a range of cuts, including 200 staff redundancies. That is not good enough, and it would not be good enough for anybody in any organisation, that those redundancies were notified to staff through media leaks late last night. RTÉ is under substantial financial pressure as a result of reduced advertising income, changes in viewership patterns, online trends and global changes. There has been a substantial lack of engagement from the Government about RTÉ's funding model and about licence fee evasion. Rather than dealing with the challenges faced by RTÉ, the Government is constantly trying to kick the can down the road.

Ireland's licence fee evasion rate of 14% is the highest in Europe. It results in a loss of approximately €25 million a year. Another 11% of households do not pay the licence at all, which accounts for a further €20 million. The Tánaiste is familiar with this information. It is not new to the Government. The members of the Government and its predecessor have stuck their heads in the sand. They have discussed the proposed broadcasting charge lengthways and sideways without making a decision, in the full knowledge of the challenges being faced by

our entire media industry. They have said they will make a decision in five years' time. The Government has been procrastinating on changing this country's defamation laws, which are regularly described by outside independent experts as having a chilling effect on the way Irish print and broadcasting media do their work. As a result of the Government's inertia, inaction and head-in-the-sand approach, RTÉ has announced that there will be 200 redundancies, its presence in Limerick will be downgraded, some of its assets will be sold, the pay of all staff will be frozen indefinitely and the pay of top earners will be reduced by 15%. I have read in the past few minutes that the Government is focusing on cutting the pay of top presenters while ignoring the 200 redundancies and the indefinite pay freezes that are to be imposed on those on the lowest incomes.

The cuts in RTÉ are in addition to those in other media organisations. Virgin Media announced 60 cuts last week. All of our newspaper groups are announcing regular job cuts. The independent broadcasting sector is operating on a shoestring because of the lack of a coherent and cohesive Government policy that would defend the media as it faces the challenges I have mentioned and would defend public service broadcasting in general. We must defend an independent media that asks hard questions and provides information. We want such a media, but we will not pay for it. When was the Government informed about RTÉ's plans? Has the Minister for Communications, Climate Action and Environment, Deputy Bruton, met RTÉ management and board members? Is the Tánaiste interested in preserving and promoting an independent media, with public service broadcasting as a key part of it, or will he continue to keep his head in the sand while the media industry dies?

The Tánaiste: It is appropriate that I begin by mentioning that one of my brothers works in RTÉ and has been involved in the restructuring plans that have been publicised today. It is important for me to say that for the record.

In my view, public service broadcasting is more important than it has ever been. Independent objective reporting of domestic and international affairs is absolutely crucial for any functioning democracy. We must recognise that the landscape in which broadcasters operate is undergoing a transformation, which is giving rise to new challenges for the Government and for RTÉ in terms of the need for reform. Audiences are transitioning away from traditional platforms and are increasingly accessing content online through digital media. Additional funding has been provided to RTÉ. Additional funding of €10 million was allocated to the broadcaster between 2018 and 2019.

In August, the Government accepted the recommendations of the working group on the future funding of public service broadcasting regarding the reform of the TV licence fee collection system. As a result, TV licence fee collection will be put out to tender when the enabling legislation - the Broadcasting (Amendment) Bill 2019, which recently passed Second Stage - is enacted. This will allow a five-year contract for the service to be put in place, thereby giving the successful bidder an opportunity and an incentive to invest in a collection system that reduces evasion levels, which are far too high. According to the official figure I have seen, the current evasion rate is 12.83%. This does not compare well with other countries. The Government has agreed that at the end of the five-year contract period, the licence fee should be replaced by a device-independent broadcasting charge, which will take account of technological change and will enable the sustainable funding of public service content in the longer term. That is welcome. It is not appropriate to continue to pay for public service broadcasting into the medium term by imposing a charge or a licence fee in respect of television ownership. We know that at least 10% of homes do not have televisions. People in those homes watch content online on

tablets, iPads and computer screens.

We are adapting from a public policy perspective and from a funding approach perspective. It is important to say that even though RTÉ's commercial income decreased significantly during the recession - by €100 million, from €250 million to €150 million - it was in a position to break even in 2013 and 2014. Its commercial revenue has been largely stable since then. It remained at approximately €150 million between 2013 and 2018. Licence fee revenues increased from €179 million to €189 million over the same period. RTÉ's operating costs increased by approximately 11% during that period. We will play our part from a policy point of view. We expect RTÉ to evolve and to make the decisions that are necessary to respond to dramatic changes in consumer approaches to media.

Deputy Dara Calleary: Nothing the Tánaiste said is new. At a time when this country's entire media industry, including RTÉ, is on life support, his prescription is tea and sympathy. He needs to wake up. He has spoken about new challenges, but we have known about these challenges for five years. The Government intends to kick the can down the road for another five years. Will we have a media industry in five years' time?

I would like the Tánaiste to answer a few questions. When was the Minister for Communications, Climate Action and Environment informed about RTÉ's plans? Has he meet representatives of RTÉ? No reference has been made to Raidió na Gaeltachta or TG4 in any of the plans. What is the future of Raidió na Gaeltachta and TG4 in the context of these plans? Tá sé an-tábhachtach go mbeidh seirbhísí raidió agus teilifíse againn trí mheán na Gaeilge. The Tánaiste has spoken about licence fee evasion rates, but changing tendering is not going to magically change evasion rates. What are the Government's specific proposals in this regard? The reform of the defamation laws is crucial for independent print journalism in particular. The attitude is to again kick the can down the road and carry out a review. Meanwhile, newspapers are closing and journalists are losing their jobs. Good media outlets are dying on the vine while the Government whistles past the graveyard. Let this be a wake-up call. Redundancies have been made by Virgin Media and Times Ireland. Now RTÉ, for the third time in as many years, has announced redundancies. When will the Government wake up?

The Tánaiste: The Minister for Communications, Climate Action and Environment, Deputy Bruton, only received the final report from RTÉ this morning.

Deputy Dara Calleary: He saw it in *The Irish Times*.

The Tánaiste: My understanding is that RTÉ was not expecting to have to deal with this issue today. Dee Forbes spoke on today's edition of "Morning Ireland" and explained the frustration within RTÉ at the news being leaked and the subject of a report on the front page of *The Irish Times* such that more than 1,800 RTÉ employees read in the newspaper of decisions about which they should have been first informed within RTÉ. There is significant frustration within RTÉ at the leak, but that is how modern media works - it is instantaneous. When information is leaked, it is made public very quickly. RTÉ and other media outlets have taken that approach, so we should not get into the blame game in that respect.

That said, the Government must now respond to a detailed plan from RTÉ. We will assess it and work with the organisation. The Minister recently met representatives of RTÉ and will do so again. We had an idea of the approach to be put forward in the plan. The answer to the Deputy's question is that the Minister only received a complete plan this morning from RTÉ

and needs time to assess it fully.

Deputy Pearse Doherty: Yesterday, I heard the Fianna Fáil leader, Deputy Micheál Martin, speak on RTÉ radio and tar entire communities on the Border as being lawless and out of control. He did likewise in the House on Tuesday. I raise this issue because that is not the case. As a representative of a Border county, I know that no one is more disgusted at the recent attacks on Kevin Lunney and the threats made to the directors of the Quinn group of companies than the people and communities in the area where Quinn group workers live and raise their families. It is not good enough to paint entire communities as complicit in these activities.

Deputy Eugene Murphy: That is not what Deputy Micheál Martin said.

Deputy Pearse Doherty: The actions of small groups of criminals cannot be used as an excuse to insult or demonise people who live and work in the Border region.

My colleagues, Deputies Ó Caoláin and Martin Kenny, Michelle Gildernew and other Sinn Féin representatives met representatives of the Quinn group last Friday and relayed the message to them that local people in those communities are appalled at and disgusted by the recent attacks on Kevin Lunney and the threats to the company's directors. I am sure Members will agree that anybody who watched the interview with Kevin Lunney on the BBC "Spotlight" programme earlier this week could not be unmoved by his testimony and bravery, and would have been appalled at and revulsed by the brutal attack he underwent. Everybody should be free to go about their business without threats or intimidation, no matter where or for whom they work. This matter must be tackled urgently. It is a serious criminal issue, as well as being of serious economic concern to communities in the Border region.

As Deputies are aware, the Quinn group directly employs 850 workers and indirectly supports up to 2,500 employees on both sides of the Border. This morning, the Quinn group issued a statement that unless the threats are stopped, the owners will be forced to reassess their approach to their investment in the company. If they were to pull out, it would have a serious detrimental effect on those who work directly or indirectly for the group and be a blow to the entire region and its economic fortunes. Now is the time to act with the requisite urgency, put these criminals out of business and ensure the full rigours of the law come down upon them.

We are told that the Garda is making progress in its investigations but, thus far, there have been no arrests. The required mechanism for cross-Border policing co-operation to bring those responsible to justice is already in place. Is this an issue of resourcing that mechanism? Last Tuesday, the Taoiseach accepted there is a need for additional Garda resources in the region. That analysis is correct. That being the case, what will the Government do about this? What additional resources will it ensure are allocated to the investigation and the wider Border region to support communities which wish to ensure that activities such as the attack on Kevin Lunney and the threats to the directors, as well as many other criminal activities, are prevented and that crimes committed are detected and those responsible arrested and brought to face the full rigours of the law?

The Tánaiste: I thank the Deputy for raising this issue which has understandably been a topic of debate this week and last, given the horrific intimidation and brutal kidnapping, assault and torture of Kevin Lunney. I reiterate the support of the Government and the House for Kevin and his family and, indeed, all who work in the broader Quinn group. I too was a little surprised that Deputy Micheál Martin referred to the Border area as "lawless", but this is not a

time for party political point scoring. Members of the House need to work together to support the Taoiseach, the Minister for Justice and Equality, Deputy Flanagan, and the Garda, working with the PSNI and communities to bring an end to intimidation and to secure arrests. We need to put resources in place to do that. The Minister and the Taoiseach met the Garda Commissioner and senior Quinn directors, and the Minister met Kevin Lunney.

Significant resources have been put in place in Border regions in recent times. Garda deployment in all areas of the country, and the northern region in particular, has benefited from increased Garda recruitment over the past three years. Due to Government funding, Garda strength in the northern region has increased to approximately 1,500, an increase of 150 since 2017. These gardaí are supported by approximately 160 civilians in the region, compared with 116 at the end of 2016. As of 30 September, 373 gardaí were assigned to the Cavan-Monaghan division, supported by 47 Garda staff and eight reserves.

Deputy Peadar Tóibín: Compared with 20 in 2009.

The Tánaiste: We now have an armed support unit in Cavan.

On the calls of Fianna Fáil and others for a cross-Border task force, the joint agency task force was established by the Fresh Start agreement signed and negotiated by the Minister, Deputy Flanagan, who was then Minister for Foreign Affairs and Trade. It is now being implemented and is led by senior officers of An Garda Síochána, the PSNI, the Revenue Commissioners and the UK Revenue and Customs. The Criminal Assets Bureau and the UK National Crime Agency are also involved.

We cannot go into the detail of operational policing matters, but it is important to state that the Garda Commissioner confirmed to the Minister that progress is being made in the police investigations around this case. It will remain a continuing priority until arrests are secured.

Deputy Pearse Doherty: I acknowledge we are being told that progress is being made, but we must ensure that those involved in the commission and orchestration of this brutal attack are apprehended. This is a serious issue with implications for the entire region and its economic fortunes. The livelihoods of the 850 employees and 2,500 indirectly in employment as a result of the work of these directors and the success of the company could be placed in jeopardy. The threats against the company have been going on for years. They have only been acted upon recently, and we have seen the physical manifestations of that. We need to ask whom these actions serve. They definitely do not serve the community or those people working directly or indirectly with Quinn Insurance. This only benefits those who stand to benefit personally from these actions. The criminals responsible need to be brought to justice - that is vital - but the individual or individuals behind the campaign need to be identified and the same force and rigours of the law need to be brought to bear on that person or persons.

The Taoiseach said there was a need for additional resources. Just yesterday, I got a letter from a person in a successful company on the Border. That person told me there has been numerous assaults and other problems but they no longer contact the Garda because it is a waste of time. This week, somebody who was seriously intoxicated was on the premises. The people in the company phoned the Garda and it took an hour for the Garda to respond. Within that hour the person left. They got into their car and drove on to a national road. The people in that company asked me, and I ask it of the House, what if somebody had been killed? What if somebody's mother lost their life as a result of that? We have a serious issue with lack of resources in

Border communities and, unfortunately, the Government is not dealing with it. While we need additional resources for this investigation, we also need to ensure no other crimes are allowed to be committed as a result of a lack of resources.

The Tánaiste: I will address the resources issue first. The Border region has been prioritised by the Garda Commissioner and the Minister for Justice and Equality. We have seen more Garda vehicles, more Garda personnel, more civilians working alongside gardaí in stations and in administration, more Garda reservists, and the setting up of an armed support unit for An Garda Síochána. We have had the personal engagement of the Minister and the Commissioner with people who have been subject to totally unacceptable intimidation. Resources are being focused on the Border counties and we have probably a closer level of co-operation with the PSNI than we have ever had in the past. We need to continue that priority focus until we deal with some of the issues that all parties in the House have been commenting on and angered by in recent weeks.

However, even in the context of the intimidation in recent years, the Garda has clarified that a number of arrests have been made in connection with the incidents relating to employees and property of QIH, and files have been forwarded to the Director of Public Prosecutions, DPP. No charges have been directed at this time in respect of those investigations, but they are still ongoing.

I assure the Deputy that this is a high priority right at the top of Government. I am conscious of the concerns over jobs that are potentially at risk if we cannot deal with the policing challenges here. However, I assure the Deputy that the Government will continue to focus on successful prosecutions of people who belong in jail rather than intimidating their communities as they have been doing.

Deputy Michael Collins: There are many promises made in the programme for Government in the area of health, but there has been a serious deterioration in the health service being delivered to people during the lifetime of the Government. Almost every area of the health service is in crisis. Today I will deal with the issue of home care hours. During the past year there has been an embargo on the provision of new home care hours. The home help service, vital in ensuring that elderly people can remain in their homes, remains largely closed to new applicants until January 2020 at a time when almost 7,500 people are on waiting lists. The only new home help hours being sanctioned are more or less recycled hours that become available when a person in receipt of home help dies and those hours are reallocated. No new hours have been allocated for a long time.

In my constituency of Cork South-West hundreds of people are waiting for home help. One of these people has been in Bantry General Hospital since June and has been ready to be discharged since September. However, this patient is wheelchair-bound and cannot return home without home help. My office has made representations on behalf of this man several times, but no home help hours have been made available. Therefore, he must remain in hospital, occupying an acute bed and at a high risk of picking up an infection. Lying in bed week after week is detrimental to his physical and mental well-being, while this man could be back in his own home with a minimum amount of home help. Another of my constituents is a woman with stage 4 cancer. Her family has been repeatedly told that no home help hours are available to her.

I know hundreds of others in a similar position to these patients. This is just the tip of the iceberg with regard to people looking for new home help hours. These people need help with

everyday simple tasks such as getting out of bed, washing, dressing, attending to personal care, feeding and taking medication. The most basic things that we all take for granted are being denied to these vulnerable people.

I have heard from home helps throughout the country that the situation is at crisis level such that where an existing home help goes out sick, no replacement home help is available and many elderly and vulnerable are forced to stay in bed and wait until the home help returns while receiving a basic level of care from a kind-hearted neighbour who is untrained to look after a vulnerable person with special care requirements. This embargo completely contradicts everything the Government has said about supporting community-based care and helping people to remain in their homes for as long as possible. It also contradicts the principles of Sláintecare whose focus is on shifting care from the acute sector to the community.

In my constituency I know of several cases of elderly people who are being placed in residential care because their families cannot provide the care they need without home help support. These people could stay at home under a modest HSE home care package among their family and friends in their own community at little cost to the State. Instead, many have no choice but to go down the fair deal route, forcing people to end their days away from family and people they value most and at an enormous expense to the State.

It is widely accepted that due to medical advances in the previous century, people are living longer, and therefore forward planning is vital to ensure people have a good quality of life, even in old age. That includes enabling them to remain in their own homes for as long as possible with the provision of a home help as a basic support.

While I acknowledge that 1 million extra hours were announced in the budget, that is a quarter of what is needed to clear the backlog that has built up, and they will only become available in 2020. I ask the Government to lift the embargo on new home help hours. Will the Tánaiste instruct the Minister, Deputy Harris, to lift this embargo and give these vulnerable people the home help they need immediately as a matter of extreme urgency?

The Tánaiste: I thank the Deputy for raising the issue. I know it is a very important issue for many households in different parts of the country. The challenge with home help hours and home supports is a very personal one for many households. The Government is committing significant increases in resources to provide more home care hours all the time. A €26 million fund has been made available for winter funding for the HSE. This is to provide new hours and to support hospital discharges where possible. The Government has invested an additional €52 million to bring the total funding for home supports to €487 million for next year. In 2020, the HSE will deliver in excess of 19.2 million hours of home supports, which I suspect is significantly higher than we have ever done before.

Deputy Robert Troy: We have an ageing population.

The Tánaiste: This represents a substantial increase of 1 million extra hours more than this year's target. This investment is focused on enabling older people to remain at home when they want to and reducing the current waiting list for a service being experienced in almost all areas. As appropriate, provision of hours will also be targeted at times of peak demand in winter 2020, at the beginning and the end of the year, to ensure more timely support is given in order that people can stay out of hospital and live with dignity in their own homes.

I accept that there is more demand than available resource, but we have to operate within the

funding available to us. We are making an extra €52 million available next year and an extra 1 million hours throughout the country. That will have a significant and positive impact.

Deputy Michael Collins: I thank the Tánaiste for his reply. At the outset I said there had been a serious deterioration in the health service being delivered to the people during the lifetime of the Government. Waiting lists are growing longer. Every day I am fighting to get people off trolleys and given a bed in Cork hospitals. SouthDoc services in parts of west Cork, particularly Castletownbere, have collapsed and SouthDoc in the rest of west Cork is on the verge of collapse. People in pain waiting for hip and knee surgery are being left in pain. People urgently waiting for cataract operations are left to go blind and this has all happened on the Government's watch. The list of failures is endless and the people of west Cork and elsewhere feel the pain. I have raised the issue of the lack of home help hours many times in the Dáil. On 30 May last, I raised the issue of the embargo on new home help hours with the Minister of State with responsibility for older people but like the Tánaiste he defended the Government line. We read in the press in the past week that, while addressing a Home and Community Care Ireland conference recently, the Minister of State said he felt ashamed at the waiting list for home help hours. By July of this year, the number waiting for home help hours had reached more than 7,300. The home help service is in crisis. Constituents of mine now tell me that people will not get home help if they are actively dying. They have to be on a morphine pump to qualify for home help. This is an outrage. If we lived in a State where accountability was the norm, heads at the top would roll. The 1 million hours in the budget is far too little far too late. Will the Tánaiste instruct the Minister for Health to lift the home help embargo immediately?

The Tánaiste: There is no home help embargo. We all need to be accurate in what we say in this House, particularly when we are talking about people's health and elder care in the home. The Deputy should reflect on some of his commentary on that. I am not saying that many people are not frustrated, under pressure and on waiting lists, they are. I am also saying, however, that we will have over 19 million hours of home supports funded next year. That is a significant increase on what we have seen.

In respect of investment in healthcare infrastructure in the Deputy's area, there has been significant investment in Bantry hospital, which the Deputy has advocated for at different times. There are sectors and elements within the health service that are under pressure and have had recruitment difficulties but there are also success stories in the health service. We need to continue to focus our investment and prioritise where it is needed most to make sure we have recruitment campaigns where there is pressure. However, we also need to operate within budgets, otherwise parties in this House will rightly criticise the Government for dramatically increased Estimates at the end of the year for money that has not been accounted for. We have to try to balance all of those pressures and provide the best possible health service we can, while spending more money than this country has ever spent on healthcare annually.

Deputy Catherine Murphy: As a former Minister for Housing, Planning and Local Government, I do not suppose the Tánaiste will be surprised that I and others are very critical of the long-term use of the housing assistance payment, HAP, scheme. It is a system that artificially inflates the market and is the single biggest transfer of public funds to private landlords in the history of the State.

One aspect of this system that has worsened considerably in recent months is the processing times. The delay in processing applications now averages nine weeks. I will use Kildare County Council as an example. It is now processing applications made in August. This means

that anyone who had found accommodation has to come up with the deposit, the one month's rent in advance, the October rent and now the November rent is due. If that was totalled up for most parts of the country, it would amount to between €6,000 and €8,000. HAP is paid to people who cannot pay the rents so it does not take a genius to figure out that this is a real problem and people are borrowing money, if they can do that. The tenant and landlord are effectively in limbo. If someone fails to pay the rent after securing a tenancy, the landlord has the right to issue a 14 day notice to pay the rent or consider the tenancy terminated. I have spoken to genuine landlords and letting agents who do not want to be issuing notices to quit but cannot forgo two or three months of rent with little chance of its being backdated. This is a very serious issue. Fair is fair. One letting agent told me that if he advertised a property in Kildare or west Dublin, he would expect to receive between 150 and 160 emails within 24 hours. Of those, 70% would potentially be HAP tenants. The people who are not HAP tenants have a better chance of getting the accommodation.

There is a very real legal implication where there is a clear failure of Government policy. Once people are deemed eligible for HAP, they are deemed to have had their housing need met and are removed from the social housing waiting list. In the meantime, if their application is not processed in a timely fashion and their tenancy is legally terminated as a result, they are effectively homeless and have lost their place on the housing waiting list. Is the Tánaiste aware that this significant issue will add to the number of people becoming homeless? This is the origin of some of that homelessness and it has to be addressed urgently. What is the Government doing or going to do about this?

The Tánaiste: I would like to talk to the Deputy in a bit more detail about some of the problems she has just outlined. I am very familiar with HAP tenancies. I was a Minister for Housing, Planning and Local Government when we saw a shift away from rent allowance towards HAP because it provided more security of tenure for tenants and also more security and consistency for landlords as they were dealing with local authorities for payments rather than directly with tenants. It also had more flexibility for tenants in terms of the support that local authorities could give. Last year, 17,926 people moved into HAP. It is a big part of social housing supports right now. We will see an extra 10,000 social housing units coming into the stock of social housing this year and over time we will see less reliance on the private rental market to accommodate people who cannot afford to find accommodation themselves and more reliance on providing them directly with social housing. As we build up our social housing stock, we will continue to rely on the private rental market. We have to try to implement a model that gives as much certainty to tenants as possible and as much consistency as possible to landlords too. That is what HAP attempts to do and does it reasonably well.

If there are delays taking place or there are problems in HAP that create vulnerabilities, in particular for tenants, I would be interested in hearing about them. The Government is not stuck to one approach. We are constantly adapting and amending and trying to improve social housing provision through all the different ways we do that. If there are details of problems in County Kildare, the Deputy can feed them through to me if she wants and I will certainly talk to the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, and we will try to address it, if there is a genuine concern that needs a policy response.

Deputy Catherine Murphy: I used Kildare as an example. The issue is not unique to Kildare and the Tánaiste should please pay attention to that point. I appreciate that things will be done and I hope they are done to a greater extent. Maybe the election will intervene to accelerate that because it is a huge issue. When HAP was introduced the resources were allocated

to an agency in Limerick that would pay the amount to the person approved. Approval happens at local authority level and that is where the delay is. Either there are not enough resources or they are not being allocated to this. I am seeing people evicted and taken off the housing list who become homeless. I am not the only one. I do not expect that I am some sort of a magnet for these cases. I expect that other Deputies are seeing them too, including Deputies in the Tánaiste's party.

The Tánaiste: I do not mind saying that I have been somewhat of a magnet for people to come and talk about social housing concerns and housing concerns generally because I was a Minister in that Department. I do not mind that because we are trying to help families, not expose them to the dangers and vulnerabilities of homelessness. We have an overreliance at the moment on the private rental sector for social housing solutions but that reliance is shrinking each year as we build up our social housing stock, which will increase by more than 10,000 this year and probably closer to 12,000 next year. We are seeing dramatic investment. Our housing budget for next year is, I believe, €2.63 billion. It has increased dramatically over the past four or five years because housing is needed and is a priority for Government. If we are starting with a stock that is too small, we have to increase that stock and provide viable, safe solutions for people in the meantime. That is where HAP has been a good improvement on rent allowance. However, this does not mean that it is perfect. If there are problems with individual local authorities in terms of processing times, as well as the time it takes to make decisions and approvals, I would like to hear about them and we will try and respond as best we can.

Ceisteanna ar Reachtaíocht a Gealladh - Questions on Promised Legislation

An Ceann Comhairle: Some 26 Deputies have already indicated that they wish to speak.

Deputy Dara Calleary: This morning, the Committee of Public Accounts received a letter from David Gunning, the chief officer of the National Paediatric Hospital Development Board - the famous children's hospital - updating it on project costs. In his letter, Mr. Gunning states that while things are on budget, there are a number of exceptions which have always been outside of the approved budget for which there cannot be price certainty at this point or for the duration of the project. That is the chief operating officer and it sounds like a blank cheque. What brakes has the Government put in place for this blank cheque? How can it be that certain in its assertions around the budget when this provision is in place?

Minister for Health (Deputy Simon Harris): The letter to the Committee of Public Accounts contains exactly the same information that the chairman of the National Paediatric Hospital Development Board gave to the Joint Committee on Health in July. That is the reality, as the Deputy, his party and every other Member knows well. There are several issues, including those relating to claims that can be made by a contractor in respect of any capital project. Obviously, there is also the issue of inflation and that needs to be reformulated next year. The Government has only approved €1.433 billion of taxpayers' money for this project. The total project cost is €1.7 billion. It is a reality that as this construction project continues, claims will continue to come in. The National Paediatric Hospital Development Board will continue to robustly defend those claims. That is the point the chief executive officer was making honestly to the Committee of Public Accounts this morning.

Deputy Pearse Doherty: Across the State, insurance costs are continuing to rise to unaffordable levels. This is putting serious pressure on motorists and businesses are closing in every sector of the State. From 2014 to 2018, the value of personal injury claims paid out through the courts and the Personal Injuries Assessment Board fell by 15%. Between 2013 and 2017, the total number of motor insurance claims fell by 22%. At the same time, however, the average motor insurance premium increased by 53%. We accept that there is serious issue with some of the levels of personal injury awards and that it needs to be dealt with. The House, including our party, facilitated with the Government in ensuring the Judicial Council Act was signed into law as quickly as possible. The Act was signed into law on 23 July, three months ago, yet the Minister for Justice and Equality has not implemented section 5, under which the council will be set up. When it is set up, the council will establish an advisory committee that will look at the level of awards, which will take to up to a year.

An Ceann Comhairle: The Deputy's time is up. He has just one minute.

Deputy Pearse Doherty: As companies are closing and people are being fleeced, the Minister is sitting on his hands and will not implement legislation passed by both Houses of the Oireachtas. This matter needs to be dealt with.

Minister for Justice and Equality (Deputy Charles Flanagan): I reject that in its entirety.

Deputy Pearse Doherty: Did the Minister sign it?

Deputy Charles Flanagan: I acknowledge the deliberations in this House which gave rise to the passage of the legislation in question in the course of the summer months. I had a meeting with the Courts Service this morning. Obviously, there are issues involved in the setting up of a new board. In this regard, I assure Deputy Pearse Doherty and the House that the council will be set up by the end of the year.

Deputy Brendan Howlin: I want to raise another aspect of the insurance cost issue. It is crippling businesses but it is also causing festivals and community events to be cancelled. I am told from a variety of locations across the country that Christmas markets and festivals are also cancelled or affected by high insurance costs. It was reported the Government has established a cross-departmental committee to compile a report on the potential impact of insurance on Galway 2020, the European Capital of Culture event. Will the Tánaiste confirm if such a review has taken place, as I cannot find any reference to it in the public media? One possible solution to the issue of looking after festivals and community events is to recharge the Irish Public Bodies Mutual Insurance company, a wholly State-owned entity, to provide insurance cover in respect of these events. The Labour Party is exploring this possibility. In the event that it proves a viable move, will the Government look at amending the relevant Act to allow the company in question to do that?

The Tánaiste: Public liability insurance has been an issue and a problem for many festivals for quite some time. While we have taken a whole series of actions to respond to that, the Government is open all the time to new approaches. The Minister of State, Deputy D'Arcy, is focused on driving down insurance costs, including public liability costs. I am not aware there has been any specific examination of cover for Galway 2020. I will come back to the Deputy on that matter. If the Labour Party has proposals in respect of insurance cover, I will ask the Minister of State, Deputy D'Arcy, to look at them.

Visit of Californian Delegation

An Ceann Comhairle: I wish on my behalf and on behalf of the Members of Dáil Éireann to offer a céad míle fáilte, a most sincere welcome, to a delegation from the Californian State Senate led by Senator Hannah-Beth Jackson and comprising Senators Ben Allen, Andreas Borgeas, Steven Glazer and various officials. Our distinguished visitors are here for a short visit that will include meetings with the Oireachtas committees on climate change and justice. I had the personal pleasure of having a brief discussion with them earlier.

They are all most sincerely welcome to Leinster House. We are delighted to have them with us. I hope their visit will be to our mutual benefit.

Ceisteanna ar Reachtaíocht a Gealladh (Atógáil) - Questions on Promised Legislation (Resumed)

Deputy Gino Kenny: Four months ago, the Misuse of Drugs (Prescription and Control of Supply of Cannabis for Medical Use) Regulations 2019 came into effect. For the first time, this gave Irish-based doctors the opportunity to prescribe medical cannabis products. Since then, nobody has been prescribed any products whatsoever. I received a text message from a woman in recent days. In it she said:

Hi Gino, just to say thank you so much for campaigning for medical cannabis as I am going through chemotherapy at the moment and will have to buy cannabis on the black market. It is the only thing that stops the sickness and horrible pain that goes through my bones. This is so, so, so wrong.

What is wrong about this is that the cannabis-based products that could be helping this woman and many others are actually imported into the State but nobody can access them. When will the medical cannabis access programme commence which will allow people get proper access and stop having to go to the black market or even worse have to go abroad for medical cannabis products?

Minister for Health (Deputy Simon Harris): I genuinely acknowledge Deputy Gino Kenny's constructive involvement with this issue for some time. The Deputy will agree that nobody should ever have to go to the black market nor should we be promoting that in this House.

Deputy Gino Kenny: It is happening, however.

Deputy Simon Harris: As recently as yesterday, I signed a ministerial licence to grant cannabis to somebody. One needs a doctor to recommend it. The ministerial licence scheme is in place today. In my tenure as Minister for Health, I have signed well more than 20 licences for that. As to when the products will become available for the new compassionate access programme, six products have applied to the Health Products Regulatory Authority. Two of them are almost ready and I expect products to start flowing from that by the end of the year.

Deputy Gino Kenny: When?

Deputy Simon Harris: By the end of the year.

Deputy Michael Collins: Due to new regulations pertaining to preschool crèches, small preschools will have to ensure they are compliant with regulations or face closure. As a result, in the Cork South-West constituency in Castletownbere, a privately run, HSE-approved, crèche, catering for a large number of children and employing five members of staff, will have to close its doors on 22 November. In Coppeen, a successful private playschool, serving a large rural area for over 25 years, will also face closure. These playschools have little time with only one month to either comply or close down. If closure is the end story, it will be a huge blow to the communities in question. In one of the cases, it will cost €50,000 to bring it up to new standards. These playschool operators fully realise regulations are of the utmost importance. However, will the Government review these new regulations with a view to rural-proofing them in such a way that new guidelines will not be detrimental to small schools in rural communities? This might mean ensuring grant aid is made available, as well as a longer length of time to comply with these guidelines, in order to incentivise and enable the playgrounds in Castletownbere, Coppeen and other areas to continue to provide a valuable service to hundreds of children in their communities.

The Tánaiste: I am glad the Deputy recognises that standards are important for crèches and children's play areas. We must have a common standard and benchmarks below which we cannot fall. If there are individual cases and problems that the Deputy wants to raise, he might send me on the details and I will forward them to the Minister.

Deputy Tom Neville: Will the Minister for Health provide an update on the independent review commissioned on the workflow management processes in the emergency department at University Hospital Limerick? Will he also provide a timeline of when it will be completed?

Deputy Simon Harris: I thank Deputy Neville for the question. As far as I am aware, that report is nearing completion but I will revert to the Deputy directly in that regard.

On the second MRI scanner, which is badly needed in University Hospital Limerick, which I know the Deputy has been advocating for, I expect the tenders for that process to conclude this week. I hope we can get the second MRI scanner into the hospital very quickly.

Deputy Jack Chambers: In the context of the funding crisis in RTÉ and the job losses, the Broadcasting (Amendment) Bill 2019 does not provide for licence fee reform. Will the Government bring forward amendments on Committee Stage to address the issue or will it kick-it-to-touch for five years, as mentioned previously?

The Tánaiste: I understand that legislation has completed Second Stage. The Government is open to constructive amendments. The Minister for Communications, Climate Action and Environment, Deputy Richard Bruton, will meet RTÉ to discuss in detail its plans for reform, change and, in some cases, cost savings. The debate on the Broadcasting (Amendment) Bill 2019 will be in light of that conversation.

Deputy John Brady: Earlier this week, St. Joseph's Shankill, a dedicated care home for people with dementia, made a decision to send a letter to the 150 people living with dementia who use this excellent facility, 600 family members, 100 staff and 100 volunteers advising them that from December this year they will have to stop the day care service. From next year, it will cease operation in full due to gross underfunding. The Minister for Health, Deputy Harris, is familiar with this excellent facility. Many of those who work and use the facility are from his constituency of Wicklow.

What will the Minister do to ensure the doors of this excellent facility remain open? Currently, in Ireland there are 55,000 people living with dementia and this figure is estimated to double over the next 20 years. We need to ensure that facilities like this remain open. What is the Minister doing to ensure that funding is forthcoming so the doors can remain open?

An Ceann Comhairle: Time is up, Deputy.

Deputy John Brady: The Minister met representatives of the facility last year and he told them that funding was forthcoming. We are now two months away from the closure of the day care facility. Can the Minister ensure that funding is forthcoming and that the facility will remain open into the future?

Deputy Simon Harris: The doors will not close. The manner in which this issue is being handled is very unedifying because letters went to patients and the families of vulnerable patients before any letter was issued to the HSE. Like Deputy Brady, I know St. Joseph's very well. It is a superb facility with incredible staff. I know many of its residents and their families personally.

There are two parts to the facility. The day care centre is funded by the HSE. As we speak, the HSE is intensively engaging to try to agree additional funding to keep it open. The second part is a residential facility, the price for which is negotiated through the National Treatment Purchase Fund, NTPF, in respect of which there is also a mechanism in place. This facility will not close. The way to resolve the issue is to engage intensively. I hope that engagement can take place productively and constructively, rather than in the worrying way it is being conveyed through the media. St. Joseph's is a brilliant facility. It needs to be supported and it will be supported and remain open.

Deputy Willie O'Dea: I ask the Tánaiste to request his colleague, the Minister for Communications, Climate Action and Environment, Deputy Bruton, to approach the RTÉ authority and ask it to delay its decision to close Lyric FM in Limerick. It almost inconceivable that the mid-west of this country, with a population of between 500,000 and 600,000, would be without a permanent presence from RTÉ. Will the Tánaiste ask the Minister, Deputy Bruton, to request that RTÉ at least do a cost-benefit analysis, or let us have sight of any cost benefit analysis it has done? I cannot understand how small mythical savings involving job losses from the immediate closure of Lyric FM in Limerick will secure the future of RTÉ.

The Tánaiste: We need to be careful about the detailed commentary we make because we are essentially reading a media report on an RTÉ decision.

Deputy Dara Calleary: Dee Forbes spoke on "Morning Ireland" this morning.

The Tánaiste: She did and she confirmed that RTÉ would not be closing Lyric FM and that RTÉ would maintain a presence in Limerick although I accept it would be a downsized presence. It is up to RTÉ to justify the plan which they signed off at board level and was only sent to the Minister this morning. I suspect there will be plenty of opportunities to debate that plan in the weeks ahead.

Deputy John Brassil: In May 2018, significant legislation introducing GDPR across all sectors was introduced. To my knowledge, the Department of Health was allowed to introduce separate guidelines around medical research. My information to date is that as we speak effective medical research is now almost impossible and many critical research projects are practi-

cally at standstill due to cumbersome and impractical GDPR regulations.

Professor Gerry McElvaney, president of the Irish Academy of Medical Science, has organised a briefing on 25 November in the Royal College of Surgeons in Ireland, which I hope the Minister or his officials will attend. This is a critical area. Without good medical research, developments in life-saving cancer research and so on is put in jeopardy. We need to grapple with this issue immediately otherwise lives will be put in danger.

Deputy Simon Harris: I thank Deputy Brassil for raising the matter and for his expertise, knowledge and interest in this area. I know Professor McElvaney personally and I would be very happy to meet him on the matter. I will also ensure representation from my Department at the briefing in the Royal College of Surgeons in Ireland. We will work constructively to address any issues that need to be overcome.

Deputy Donnchadh Ó Laoghaire: Some months ago, if not a year ago, I raised an issue in regard to rent pressure zones with the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy. While rent pressure zones are not perfect, because they are not applied uniformly, some anomalies have been created. I raised with the Minister a particular anomaly in regard to Carrigaline, at which point he said that he expected it would be rectified. It has not been rectified. In the most recent review, the electoral area of Macroom was designated as a rent pressure zone. The Minister and I are familiar with Macroom and Carrigaline. There is no way that rents in Macroom are rising faster or higher in that part of the county than they are in Carrigaline.

It seems to me that this has been overlooked by the Department. I have followed up on it on a number of occasions and I have spoken with the Minister, Deputy Murphy. In the southern part of Carrigaline and the surrounding areas which are close to the city rents are high and rising rapidly. It is my suspicion, given that nothing has happened since I last raised the issue, that this is an anomaly that was not captured in the legislation and that the Department is not monitoring it. The Department does not have the ability to capture rising rents and, therefore, the areas that should be designated. I hope I am wrong.

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): I thank the Deputy for the question. The designation of rent pressure zones happens according to the legislation and the process set out therein, whereby following a quarterly index report from the Residential Tenancies Board recommendation is made to the Housing Agency in regard to what inflation has occurred in a particular area following which a recommendation is made to me, as Minister, to designate new areas as rent pressure zones. Designation happens in accordance with the process laid down in the legislation. It is conducted separate from Government so that I cannot, for political reasons, decide that a particular area might be designated a rent pressure zone and another area might not be.

Deputy Donnchadh Ó Laoghaire: It is not captured.

Deputy Margaret Murphy O'Mahony: Ba mhaith liom ceist a chur ar an Aire Sláinte. What are the Minister's plans with regard to the recruitment and retention of general practitioners, GPs? A well-run general practitioner practice in Bandon, which has a large client list and a start-of-the-art computer system, which has advertised two GP posts has received no applications. Thirty years ago, a vacancy in this practice attracted 70 applications. There are many problems when the town of Bandon cannot attract one application for a very good GP practice.

I would like to know the Minister's plans in regard to GP recruitment.

Deputy Simon Harris: I thank Deputy Murphy O'Mahony for the question in regard to Bandon. On GP recruitment, the two areas on which the Government is focused are increasing the number of training places each year for the number of GPs in Ireland, in respect of which we have a way to go, and ensuring we resource and support our GPs better. We have agreed with the IMO a €210 million package of investment in general practice. This effectively reverses all of the FEMPI cuts of the austerity years. It also provides more support for our GPs in terms of maternity leave, paternity leave, additional funding in respect of a practice in a rural area and, for the first time ever, funding in an area of social deprivation. The Deputy does not have to take my word for it that this is a good deal. More than 95% of GPs who voted in a consultative ballot voted in favour of it.

On Bandon specifically, I will ask that the HSE brief me in that regard following which I will come back to the Deputy on it.

Deputy John Curran: In June of this year, the HSE agreed to make the drug Spinraza available for children with spinal muscular atrophy, SMA. Three weeks ago a number of colleagues raised the matter on the floor of the House because there was concern that none of the 25 children had received the drug. We had anticipated that we might get a note subsequently. The question remains the same. How many of those 25 children are receiving the drug and when will the remaining children get access to it?

Deputy Simon Harris: I thank the Deputy. He has taken a particular interest in the Spinraza issue and has also spoken to me about boy called Sam on a number of occasions. I will get the Deputy a note because there has been some progress in this regard. As he knows and as I would have informed the House previously, it did require putting in place some quite complex service arrangements in respect of the 27 children, as I think the figure is now, who qualify clinically for the drug. I can tell the Deputy that the drug has started to be administered to children and there are a number of scheduled appointments during this month as well. All children who are clinically eligible will receive it. I believe there has been contact between the HSE and the SMA executive group, the parents' group. I will make sure there has been and will send the Deputy a written note.

Deputy Pat Buckley: The number of patients on trolleys in Cork University Hospital, CUH, this week alone has been in excess of 60 each day. All scientific evidence will show that the longer someone is on a trolley, the poorer the patient outcome. This is also the case when there is a shortage of nursing staff. There are 60 vacancies at present in CUH and the office of the HSE CEO, Paul Reid, has directed that no recruitment can continue without approval. The Irish Nurses and Midwives Organisation, INMO, is calling on the Minister to release the funding for the winter plan and to make funding available immediately for CUH in order that the vacant posts can be filled as soon as possible. There seems to be a difficulty in drawing down the €26 million for the winter plan and they have not received it yet. Is it possible for the Minister to contact Mr. Reid's office and make sure these 60 posts can be filled as soon as possible? It takes the pressure off the whole system.

Deputy Maurice Quinlivan: On the same matter, I want to raise the issue of University Hospital Limerick. The Minister will not be surprised to hear me saying that. Last year 11,437 people were on trolleys in University Hospital Limerick. We have passed that out already this year. In October, 1,450 people were on trolleys, which was an average of 70 people a day. Un-

fortunately, 70 people are on trolleys now as we are in the Chamber. The Minister recently said to my colleague, Deputy O'Reilly, in a committee, that the modular unit of 60 beds will have no effect this winter as it will not be built or delivered by then. What specific plan does the Minister have for this winter in order that there will not be 70 people every single day? Will he give the people in Limerick the health service they deserve so they are not packed in like sardines as the Minister has seen himself?

Deputy Simon Harris: I thank the Deputies. The €26 million for the winter has been released. I met the CEO of the Health Service Executive this week and have been in very regular contact with him, as the Deputies can imagine. I have also spoken to every hospital group CEO in respect of Cork and Limerick and all the other hospitals throughout the country. The winter plan will be published by the HSE next week. The special delivery unit, which is a national part of the HSE that goes into our hospitals and assists hospitals in difficulty, is on the way to Cork. It has already been in Galway this week where it has made some improvements.

On nurse recruitment, of course Paul Reid has not said that nobody can be hired or put any freeze on recruitment. It is just very simple. We can only recruit for a funded post. There are 600 more nurses working in the health service this year than last year, and I expect that number to continue.

My plan for Limerick this year, in addition to extra community supports, home care, transitional care and the likes, is also to try to get the second MRI *in situ*. As I said to Deputy Neville a few moments ago, the tender for that concludes this week. The 60-bed ward block is now well under construction.

Deputy Michael Moynihan: The issue of home care packages and the availability of home help have already been raised. I have a very serious case whereby senior people in the HSE are trying to find funding for a particular family whose loved one is being discharged from the National Rehabilitation Hospital in Dún Laoghaire after a life-changing accident earlier in 2019. The recommendation from the occupational therapist and the people in charge in Dún Laoghaire was for a home care package of about 49 hours a week. That was sent to the southern region for assessment, which has come back very clearly saying there is no funding available. It means this person could be discharged from Dún Laoghaire into an acute hospital with all the risks that may entail in respect of infections and everything else. From a common-sense point of view, the HSE would be saving money by allowing this discharge to happen in December, but Dún Laoghaire is adamant that it cannot happen unless the home care package is in place for this applicant. It is very serious and should be looked at.

Deputy Simon Harris: If the Deputy wishes to send me the details, I will certainly ask the HSE to look specifically at the case and report back to us both.

Deputy Niamh Smyth: This morning we listened to a gripping and courageous interview on the Joe Finnegan show on Northern Sound with Leah. I am sure the Minister has seen Leah's video which has gone viral on social media. Leah is a young woman who has lost her father and her brother through suicide. She gave a heartbreaking account of how her family had been utterly failed, as she feels, by the mental health services. She spoke of her brother presenting himself at the accident and emergency department and how he was sent home because they did not have a bed. Leah described hospital wards for patients suffering with mental health problems as prisons - unfriendly and unfit for purpose. In Leah's own words, the Government needs to open its eyes. Leah spoke about her father and her brother trying to access mental health

services but with no follow-up, no support and no continuity. The saddest part of her experience, as she revealed in her interview, is that she believed her brother did his very best to live. His mind was unwell but his body fought to live. The system has failed Leah's family, and as a result she has lost her father and her brother. I am asking the Minister to recognise the fact that there is a crisis in our mental health services.

Deputy Martin Kenny: I know Leah and her family very well. The family in Arigna has been devastated. Five years ago she lost her father to suicide and two months ago she lost her brother. They told me about the situation of going to the mental health services. Many others have similar experiences, where they go with suicidal tendencies and they are told, "Sit there for a couple of hours and we will talk to you", and then they are told, "Now you can go home and you will get an appointment." It could be a week or it could be a month before that appointment comes. I have a case of a young mother whose child, a teenager, has suicidal tendencies and who is told the same, "Go home and you'll get an appointment." This situation has really become a travesty for families, particularly in the north west but I am sure in every part of the country. We have raised it here on numerous occasions and there does not seem to be anybody listening. When nobody is listening, lives are being lost. These losses are very tragic and it is having a devastating effect on communities throughout the country. It really needs to be dealt with urgently.

Deputy Eugene Murphy: I know Leah's family. They are from Arigna in County Roscommon. As Deputy Smyth said, the interview this morning on the Joe Finnegan show was certainly very disturbing. For a girl to speak about the loss of her father and her brother through suicide in the way she did and the way she gave the story was just so heartbreaking. It behoves every single person in this House to deal with this mental health issue. We have more stories coming in about tragedies like this and people are at their wits' end. I ask the Minister, the Taoiseach, the Tánaiste and everybody here to address this issue urgently. It is not being addressed urgently and we are going to have more and more cases like this unless immediate action is taken.

Deputy Simon Harris: I thank Deputies Smyth, Kenny and Murphy for raising this. I assure Deputy Kenny that I am listening and the Government is listening but we are not just listening; we intend to act. I thank Leah for telling her story and extend my condolences and those of the Government to her for all that she has been through. It is an unimaginable pain and grief that she must be going through. I did not hear the Joe Finnegan interview but I will certainly make it my business to listen to it and learn from what Leah has to say.

We are acting and I want Leah to know that. The new Central Mental Hospital in Portrane will open next year, a state-of-the art facility replacing a very old, out-of-date building. The mental health budget is now above €1 billion for the first time ever. There are 144 assistant psychologists, a new grade, working in mental health. We have seen the child and adolescent mental health services, CAMHS, waiting list fall by 20% since last December. For the first time ever, there is a 24-7 helpline to signpost people in respect of supports. We absolutely have a lot more to do in respect of mental health. I would certainly be happy to hear from Leah and to learn from her.

Deputy Peadar Tóibín: There are a number of alleged irregularities with the assembly of a government site in Anne Street in Wexford. It is alleged that the dismantling of the title property was done without the knowledge of the property owners. It is alleged that the highly irregular purchase of the hotel caused a significant loss of space to the decentralised Revenue

office. It is alleged that Wexford Borough Council never sought to have the planning amended to reflect the revised layout. It is also alleged that Wexford Borough Council arranged a compulsory purchase order, CPO, on the remainder of the hotel site, but excluded reference to the CPO process of the owner on behalf of the hotel site. The council carried out an investigation into this in 2016. However, the adjoining landowners are seriously challenging this. I urge the Minister for Housing Planning and local Government to ensure that this is investigated properly and is resolved once and for all.

Deputy Eoghan Murphy: I am not aware of the individual planning issue but the Deputy is referring to and I cannot get involved in individual planning decisions. That said, earlier this year, the Government established for the first time in the history of the State the Office of the Planning Regulator. Niall Cussen is that regulator. That is the appropriate body to which the Deputy should relay his concerns, because it can then do an independent investigation of the local authority, of An Bord Pleanála, and of the other aspects of the planning system we have in place.

Deputy Robert Troy: The problem of insurance for many businesses has been mentioned in earlier contributions. Senator Ó Céidigh brought forward a Bill, the Perjury and Related Offences Bill 2018, and it has passed through the Seanad. This will ensure that claimants are under an obligation to tell the whole truth, and if they do not there will be serious consequences. The Government has indicated its willingness to accept that Bill and bring it into the Dáil, but that has yet to happen. Last night the Dáil business finished at 7.45 p.m. and it was scheduled to run until 10.30 p.m. What is the delay and why is the Government failing to prioritise insurance reform? There is legislation there. The Government has indicated that it would facilitate the passage of this legislation in the Dáil, and yet we are still waiting to see that happen. When can we expect to have that legislation in the House? It will not alleviate the problem but it will help deal with some of the fictitious claims that are out there at present.

Deputy Charles Flanagan: I am very pleased that this Bill will be enacted. I spoke to Senator Ó Céidigh last week, and I appeal to Deputy Troy that, when the matter comes before the House in the next few weeks, we can rely on his full co-operation to ease its passage through the House at the earliest opportunity. I expect that with the-----

Deputy Robert Troy: Bringing the Bill into the House would be a start.

Deputy Charles Flanagan: I expect that with the co-operation of Deputy Troy, we can have this Bill on the Statute Book by the end of this term.

An Ceann Comhairle: I thank the Minister. That concludes Questions on Promised Legislation. Unfortunately, six Deputies were not reached today. We will give them priority on Tuesday.

Blasphemy (Abolition of Offences and Related Matters) Bill 2019 [Seanad]: Referral to Select Committee

An Ceann Comhairle: When Second Stage of the Blasphemy (Abolition of Offences and Related Matters) Bill 2019 concluded yesterday, the order referring the Bill to the select com-

mittee was not made. I now call the Minister of State at the Department of the Taoiseach, Deputy Seán Kyne, to move the motion.

Minister of State at the Department of the Taoiseach (Deputy Seán Kyne): 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.

Dublin Mid-West By-election: Issue of Writ

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

That the Ceann Comhairle direct the Clerk of the Dáil to issue his Writ for the election of a Member to fill the vacancy which has occurred in the membership of the present Dáil consequent on the election to the European Parliament of Frances Fitzgerald, a Member for the constituency of Dublin Mid-West.

I was asked earlier at the Business Committee, if the House moves all four writs today, when the polling order will be signed. Those polling orders will be signed immediately thereafter, so people can get their poster teams at the ready for the by-elections that are about to get under way.

Frances Fitzgerald will be an enormous loss to Dáil Éireann. A politician of renown, I was aware of Frances's commitment to social justice and equality before I entered politics. She has served both her constituents and the people of Ireland with distinction. Prior to being elected as a Deputy, she demonstrated her commitment to helping people in need in her career as a social worker and family therapist, working with inner-city communities in both Dublin and in London. Recognised for her trailblazing work on equality, Frances served as the chair of the National Women's Council of Ireland from 1988 to 1992. Her continued and relentless progression of the principle of inclusivity earned her the title of European Woman of the Year in 1992, the same year that she was first elected to Dáil Éireann.

Frances's achievements in her parliamentary career range from serving as Leader of the Opposition in Seanad Éireann to being a member of Government and Tánaiste. She has been at the centre of some of the most radical reforms undertaken in public life, including helping to establish the Department of Children and Youth Affairs in 2011, where she pioneered a number of groundbreaking reforms, including the comprehensive reform of our child protection and welfare systems. She oversaw the successful children's referendum in 2012. As Minister for Justice and Equality, she not only radically reformed the laws regarding sexual exploitation and sexual abuse of children but also introduced legislation for the holding of the marriage equality referendum, which saw Ireland become the first country in the world to vote in a referendum to introduce an equal right to civil marriage for same-sex couples in its Constitution in May 2015. As Minister for Business, Enterprise and Innovation, she established a Brexit loan scheme for small and medium-sized businesses, and worked to build new trading relationships and agreements abroad, which are critical to Ireland's future after our UK neighbours leave the European

Union. She was, as a Cabinet colleague, incredibly supportive of my own work as Minister for Housing, Planning and Local Government.

Knowing the central role that Ireland plays on the European stage, Fine Gael has a long history of sending experienced and capable politicians to represent us in the European Parliament. I know that Frances will serve the people of Dublin with distinction over her term as an MEP. The people of Lucan and Clondalkin have had the benefits of a Government party Deputy representing them, and I believe it is imperative that they retain this, because there are challenges before us in housing, education, and transport. These challenges can only be met by a responsible, progressive and principled politician, someone, I believe, in the mould of Frances Fitzgerald. There will be stiff competition, of course, as this by-election has some very fine candidates from all political parties and none seeking to secure the public support to serve in this House. I hope this campaign will be fair and respectful, as our democratic process demands it. The forthcoming by-election will give the people of Dublin Mid-West the opportunity to select someone to continue the work of Frances Fitzgerald and to build on her significant legacy.

Deputy Michael Moynihan: I and my party agree with the motions to move the writs for the by-elections to be held at the end of November. This was discussed earlier this year with all party leaders. I will move the writ for the Cork North-Central seat that has become vacant because of our former Member, Billy Kelleher, being elected to the European Parliament. Billy was first elected to this House in 1997 until July of this year. He was first elected to the Seanad in 1993 and served there until 1997. Billy served the people of Cork North Central with great distinction, pride and good humour. He is a valued colleague and friend and we wish him well in his role in the European Parliament, where he has hit the ground running on many topical issues that concern Europe and Ireland, and indeed Ireland South.

Our candidate, Pádraig O'Sullivan, who is an excellent public representative as a councillor, is already canvassing in Cork North-Central, and we believe he is a dynamic person. He is a teacher by profession and a community activist. Pádraig wants to represent the people of Cork North-Central in the Dáil, wants to help them access proper public services when they need them, and wants to be a significant part in tackling the housing crisis that is not just in Cork but is throughout this country and is a scourge on society. I have no doubt that he will be joining us very soon in the Dáil, along with our other candidates: Lorraine Clifford-Lee in Dublin Fingal, who will be joining my colleague, Deputy Darragh O'Brien; Malcolm Byrne in Wexford, who will be joining Deputy James Browne; and in Dublin Mid-West, my namesake, James Moynihan, who will be joining Deputy John Curran. I wish them well in the forthcoming by-elections. We have a fantastic bunch of candidates and I wish them every success as we head into the final weeks of this campaign.

Deputy Pearse Doherty: I welcome the moving of the writs for the by-elections for Cork North-Central, Dublin Mid-West, Dublin Fingal and Wexford. I also welcome the fact that we are not waiting an undue period for these by-elections to be held, as we were in this House ten years ago when the then Fine Gael-Green Party Government delayed the holding of by-elections and I was forced to go to the courts.

Deputy Brendan Howlin: It was a Fianna Fáil-Green Party Government.

Deputy Pearse Doherty: I apologise - Fianna Fáil-Green Party Government. They are interchangeable these days.

Deputy Louise O'Reilly: They really are - we cannot tell the difference

Deputy Pearse Doherty: Ten years ago, I was forced to take a Fianna Fáil Government to court, which included Deputy Micheál Martin, who is the party's present leader, to ensure that the people of Donegal South-West were afforded proper representation in the Dáil, which was denied to them for 17 months, the largest delay ever in the history of the State. The Fianna Fáil-Green Party Government of the day contended in the High Court that the court case and the court adjudicating on this matter would tear asunder the provisions of the Constitution. Thankfully, the High Court found in my favour and against the Government of the day, stating that it was the ongoing failure of the Government to move the writ for the Donegal South-West by-election that offended the terms and spirit of the Constitution and its framework for democratic representation. As you know, a Cheann Comhairle, I went on to win that by-election, and I can say that I like by-elections. They are something that I look forward to.

By-elections are an important part of our democracy. While it is high time that this Government was put out of office and a general election called, these by-elections are important. Sinn Féin will be fighting to win in all of these constituencies. We have an excellent slate of candidates that have already been selected. We have Councillor Thomas Gould in Cork North-Central, Councillor Mark Ward in Dublin Mid-West, a former mayor of South Dublin County Council, Councillor Ann Graves in Dublin Fingal, and Councillor Johnny Mythen in Wexford. All four are top-class activists who work day in, day out to stand up for ordinary people and deliver for their local communities. They will, no doubt, provide first-class representation in the Dáil. I send them my best wishes and look forward to campaigning with them in the weeks ahead.

There is no substitute to talking to voters on the doorsteps. That is where we all get the real sense of where people are at. I am aware that far too many are struggling. There are families barely scraping by. They are burdened by out-of-control living costs, sky-high rents, excessive childcare costs and rip-off insurance premiums. These people have a voice here in the Dáil in that they have Sinn Féin, a party that wants to give workers and families a break. They have in Sinn Féin a party that stands up for ordinary people and delivers for local communities. That is the basis on which we will be seeking a mandate in the by-elections. It is to give people an alternative to the failed politics of Fine Gael and Fianna Fáil and the failed experiment that is the so-called new politics.

The past three and a half years have seen a housing and homelessness crisis spiral out of control. We have two parties that are wedded to failed policies and are doing nothing to improve circumstances for far too many ordinary workers and families. We need to get back into a position in which the State and local councils are building homes. Today we see again that the health service is in perpetual crisis. Crime is spiralling out of control in both urban and rural areas. Sinn Féin will take a fundamentally different approach to the conservative alliance of the two parties that control this place in tackling these issues, which affect ordinary people and communities. We want to give people, including workers and families, a break. To do so, it means helping renters and reducing rents by up to €1,500 per year. It means reducing the cost of childcare by an average of €100 per month per child. It means providing two free general practitioner visits for every person without a medical card so nobody will delay in going to a doctor because of worries about the cost. It means ending the rip-off that we see with insurance premiums. We would do all this along with tackling the serious issue of climate change. One of the measures we propose is the introduction of free travel on public transport for passengers aged between five and 18.

Sinn Féin is the only party seriously committed to Irish unity. While the other parties pay lip service to this issue, we want action. We want preparation for unity, and that preparation must begin now. An all-Ireland forum on Irish unity should be convened without delay to make the transition to a united Ireland a success for all who share this island, for our economy and for our public services. We want a referendum on Irish unity and we want to win it.

These by-elections are an opportunity for voters to vote for positive change. I will appeal, today and over the coming weeks, to the people of Cork North-Central, Dublin Mid-West, Dublin Fingal and Wexford to vote for Sinn Féin, to vote for strong candidates and to make their voices heard.

Deputy Brendan Howlin: I welcome the moving of the four by-election writs today. The Labour Party has four excellent candidates in the by-elections: Councillor John Maher in Cork North-Central; Councillor Duncan Smith in Dublin Fingal; Councillor Joanna Tuffy, a former Member of this House, in Dublin Mid-West; and the current Mayor of Wexford, Councillor George Lawlor, in my constituency, Wexford.

The four by-elections move us one step closer to getting rid of the current Government and allowing for real change. I have said before that I do not have confidence in the current arrangements. The Government has failed to deliver on affordable housing. It presided over a shocking waste of public money on the national children's hospital and the national broadband plan. It plans to give €3 billion of the public's money to a private company rather than keep the broadband network in public ownership. It has failed to address the shocking way in which women were treated by successive medics and officials in the CervicalCheck scandal. It allowed State enterprises such as Bord na Móna to wither rather than invest in them and give them a new lease of life in the era of climate change. Now it has failed to support the national broadcaster, RTÉ, despite the Labour Party's proposal six years ago to fix the television licence system to sustain public broadcasting at the heart of our democracy.

The Government has failed. It has no plan on poverty and no plan to reduce the cost of living, and it still finds money to give tax cuts to top earners. Fianna Fáil has supported the Government so I have no confidence in its being any different. The four by-elections are not a choice between a Fianna Fáil candidate and a Fine Gael candidate, as will be said by some. That is no choice at all. In the general election we last held, fewer than half of the voters opted for Fianna Fáil or Fine Gael. In these four by-elections, the real choice will be between progressive candidates who will bring about real change and conservative candidates who will maintain the *status quo*. If one looks at the 2016 election results in detail, one sees an interesting pattern. In Cork North-Central, the combined vote for Fianna Fáil, Fine Gael, Identity Ireland and Renua Ireland was 24,694. The remainder was 26,480. In Dublin Fingal, the combined conservative vote was 28,456 while the remainder was 31,932. In Dublin Mid-West, the conservative vote was 18,366 while the remainder was 24,768. In my constituency, Wexford, the combined conservative vote was 35,814, compared with 35,847 for the remainder. In all these constituencies, the votes for Fianna Fáil and Fine Gael combined were less than the alternative. Therefore, the conservative parties do not have an automatic right to win these by-elections.

The Labour Party is significantly different from the other parties. I would like to reach out to all who want to build an alternative, including the progressives and the independents. This will be the first step in an historic choice. I sincerely hope that the opportunity will be grasped by the electorates in the four constituencies. I know all the constituencies well. I know all of the four candidates the Labour Party will have fighting in each constituency very well indeed. I

know my constituency, Wexford, best of all. I am confident that in each of these battlegrounds, there will be a significant vote for change. It will be the mark of a change of Government in the future. I look forward in the coming weeks to facing the challenge with vigour.

Deputy Mick Barry: These four by-elections represent an opportunity for people to strike a blow against the policies of Fine Gael, which leads the Government, and Fianna Fáil, which props it up. In Cork North-Central, Solidarity will stand Councillor Fiona Ryan. Do not underestimate the righteous anger of those who see more than 600 people on hospital trolleys today, at a time when there are more than 10,000 nursing vacancies thanks to the Government's HSE recruitment freeze. Fine Gael and Fianna Fáil have created a society in which 4,000 children have been made homeless, yet 3,000 others became millionaires last year. The Government defends a capitalist market in which 100 corporations are responsible for more than 70% of carbon emissions. It turns its back on a just transition and instead loads carbon taxes on the backs of working people.

Councillor Fiona Ryan is the only elected female representative on Cork's north side. She is the youngest elected representative contesting this by-election but, most important, she is the only elected representative contesting it who is a socialist. Like the People Before Profit candidate in Dublin Mid-West, she offers an alternative to all the other parties, which, to one degree or another, bow before the altar of the capitalist market. She finds herself in agreement with both Mr. Bernie Sanders and Mr. Jeremy Corbyn that a fair society, a society free from the rule of the profiteers, would have no billionaires and no one living in poverty.

While campaigning on all issues that affect workers, women and young people, Solidarity will strive to make mental health a genuine issue in this by-election. In the United Kingdom, 13% of the health budget goes towards mental health services. In this country, the proportion is a mere 6%. That is wrong. It leads to great distress and loss of life and it must change. Mental health is a complex issue. Many factors are at play. Who could deny, however, that precarious work, precarious housing and educational stresses are not major factors? Who could deny that a system that puts profit before the needs of people is not a major driver of the mental health crisis in this society? We aim to make this a real topic of conversation in Cork North-Central and beyond in November. I recommend to the voters of Cork North-Central that they put Councillor Ryan into the Dáil at the end of the month to represent them.

Deputy Gino Kenny: Most people believed we would have a general election before the by-elections. It is probably a bellwether indicating how people feel about the incumbent Government. After the end of the month we will know the results. Kellie Sweeney will be the People Before Profit candidate in Dublin Mid-West. She is the youngest candidate to stand in any of the four by-elections. I first got to know Kellie during the Dublin Mid-West campaign to repeal the eighth amendment. She played an amazing part in that campaign. She had not been involved in too many campaigns before and she really cut her teeth on that one. It was an honour to work with Kellie. As a nurse, she knows only too well the challenges for nurses in this country but also the challenges facing the health system. Some people come to activism by accident and others by choice or necessity when there is something wrong and they want to correct it. They are not inspired to sit on these seats but to change things that they know are wrong in society. There are many things wrong in society, especially in the context of housing, the health service and the direction in which Ireland is going. Kellie is a fantastic person. She is not a politician. I do not consider myself a politician. We are activists. She is a mother, a nurse and a voice for working-class people. If one has that, one has everything.

Deputy Thomas Pringle: I wish to share time with Deputy Joan Collins.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Thomas Pringle: As we know, the by-elections in the two constituencies have been caused by the election of Clare Daly and Mick Wallace to the European Parliament. I can say without contradiction that our loss in this House is definitely Europe's gain. Clare Daly was recognised by everyone here as a very capable and resourceful Deputy. Her constituency of Donegal Fingal has certainly missed her. I apologise, that was a mistake. The constituency is Dublin Fingal. She spoke on behalf of her community and workers in her many contributions in this House and many campaigns outside the House as well, whether it was in respect of the airport workers, Right2Water, Right2Change or communities all around Dublin Fingal.

In the by-election to come, the people of Dublin Fingal will have the choice to vote for Councillor Dean Mulligan, who has worked with Clare and has gained the necessary experience to take her place in this House, should they so choose. Dean believes that our problems will not be solved by those who created them and has set out to work on that basis in everything he does. He believes that short-term fixes when issues come to crisis point merely put a plaster on a gaping wound. Short-term, narrow-minded, election-focused politics have resulted in a record number of people being either homeless or struggling to pay rent, with little hope of owning their own homes.

In Wexford, there will not be an Independents 4 Change candidate in the by-election but there will be for the general election, which we know will follow quickly. Everyone in this House knows Mick Wallace's work and its value. That was reinforced strongly in recent weeks when the overruns relating to the children's hospital project were discussed here again. That is not to mention Mick's work on policing reform and NAMA and his and Clare's contribution to the justice committee, which Deputy Connolly and I are delighted and honoured to try to continue.

Clare Daly and Mick Wallace have spoken in the European Parliament at least five times each in recent days. That is not to mention their contributions in recent weeks. They have embraced the European Parliament and I have no doubt they will put their stamp on it and raise issues in respect of which they are passionate. It is a pity that our media do not pay as much attention to the European Parliament and report on the work our MEPs do, which would let the people know what they have been doing. I know Dean Mulligan will try to continue that work level here in the Dáil when he is elected in the by-election.

We are at a crisis point. Many of the people of Dublin Fingal and Wexford believe that electing Tweedledum or Tweedledee will not solve anything for them or for the rest of the country. It is only by electing candidates like Dean Mulligan that will lead to the change that we need.

Deputy Joan Collins: I thank Clare Daly and Mick Wallace for their contributions in the Dáil since 2014. They were effective, diligent and determined on every issue in which they intervened. Everybody will agree that their political presence and tenacity is sorely missed in the Dáil and in Irish politics. They will bring the same political pressure and tenacity in Europe.

Like others, I would prefer to see a general election take place rather than the four by-elections but we are where we are. Deputy Pringle announced that Councillor Dean Mulligan is standing for Independents 4 Change in the by-election in the Dublin Fingal constituency. Ruth Nolan will also stand for Independents 4 Change in the Dublin Mid-West constituency.

They both support the Right2Water movement's policy principles of the Right2Change. The latter are ten human rights policies on water, jobs, decent work, housing, health, justice, education, democratic reform, equality, sustainable environment and natural resources. Those human rights demands challenge establishment politics in Ireland and in Europe. Ruth Nolan has a record of being an active trade unionist and a community critical activist all her life. She is one of the key organisers of the Right2Water campaign in the South Dublin County Council area and she was also very involved in the movement to repeal the eighth amendment. A number of years ago, among many issues on which Ruth Nolan campaigned, she introduced a motion to South Dublin County Council to introduce reverse vending machines for cans and plastics. She had the foresight to do that to challenge the waste created by plastics and cans in the area. Following her tenacity and determination Repak put in place 13 vending machines throughout the area. The people of Dublin Mid-West have a genuine opportunity now to vote for a real alternative and a genuine class and climate change fighter. Ruth Nolan is an alternative to the "Lanigan's Ball" politics of this Dáil played out by the establishment parties of Fianna Fáil and Fine Gael whereby Fianna Fáil steps out and Fine Gael steps in and then Fine Gael steps out and Fianna Fáil step in again. She is also an alternative to those parties who want to join in that dance and be coalition partners with those two establishment parties. She is an alternative to that and she will stand with working class people in her community. I hope she does very well.

Deputy Michael Collins: On behalf of the Rural Independent Group, I welcome the Government's moving of the four by-election writs today. It provides the people of Cork, Wexford and the Dublin constituencies a chance to show how the Government has failed the people. In recent weeks and months many in west Cork thought that we would be facing a general election. The people to whom I spoke were hungry for a general election because they have a message to send to the Government.

We have a health crisis where millions of euro have disappeared into a hole in the ground. That has left people without any home help service. Others are left on lengthy waiting lists. People are in pain who need hip and knee procedures. People going blind need cataract procedures. The SouthDoc service is collapsing around us. More than 600 people are on hospital trolleys. Such day-to-day issues cause enormous concern to people in the constituency of Wexford, Cork North-Central or the two Dublin constituencies. The Government will face those issues when they face the people in Cork South-West.

Beef farmers are on their knees and have no one to fight for them. Fishermen are struggling and are worried about their future. Little or no money was allocated to the farm sector in the budget, all because of Brexit. Only a lick and a promise was given to the fishing sector on the premise that if it happens, it happens and if it does not there may be a little compensation for fishermen to tie up their boats at the pier.

School transport in west Cork is in a disastrous state, with young children left on the roadside. Nobody is willing to resolve ongoing issues even though parents were informed they were resolved. An announcement was made on the rural regeneration fund during the week but not one brown cent was allocated to the constituency of Cork South-West, which is sensational. It is the second time running that no brown cent was allocated to the Cork constituency. The third time the fund was rolled out, one project crossed the line. The Government is sending a clear message to my constituency, which is not having a by-election. It will send the Government a very clear message because very angry groups have been in contact with me in the past 24 hours asking why the constituency of Cork South-West is being continuously neglected when it comes to rural regeneration funds. Surely be to God projects such as the one in Schull where

€500,000 has been spent qualifies in some manner for funding. Some group are walking away because they say they have had enough.

Deputy Simon Coveney: Deputy Michael Collins should inform himself on what happened with that application. I am very familiar with it.

Deputy Michael Collins: The application has been before the Government for the past six months and it was not able to deal with it.

Deputy Simon Coveney: It is not even in my constituency but I am very familiar with it because I am committed to west Cork.

Deputy Michael Collins: People are worn out trying to make progress. The group is a voluntary community group. The Government needs to assist it to get the project across the line but it was not willing to do that. Areas in Mayo, which I do not begrudge, are getting massive amounts of funding for such projects and for rural regeneration. The best of luck to them.

Deputy Seán Kyne: It is an independent committee.

Deputy Michael Collins: Funding needs to be fairly distributed among all. The Government will have to face that in the general election. I am getting the Government ready. That is what people are telling me. Perhaps I am listening to the wrong people but they are some of the groups out there.

Another issue we must discuss is the closure of rural polling stations. This is a serious issue for many people living in rural Ireland and it needs to be examined. We need to make voting more accessible and ensure that we boost the numbers of people who want to vote there.

Registrars in constituencies such as Cork South-West and Wexford have been done away with, despite the fact that they cost very little. I do not know how many politicians have raised that issue here. I saw the value of registrars over the years. They were in touch with what was happening in local communities and made sure that people registered in time to vote. No matter how many advertisements one produces or efforts one makes, this is a serious issue. The Government has removed them so there are now no registrars. All of these people throughout west Cork and elsewhere, who had done Trojan work for a pittance, are gone. The Government then wonders why people are not registered and voting. The Government is the cause of that because it is not encouraging it from the ground up. If the Government looks at the budget, it will see that these registrars cost a pittance. It has decided to remove them and not give people their democratic right. I could talk about homeless figures and such but I will not speak too much. It is not an election that is being contested in Cork South-West this time but I can certainly tell the Government to be ready because the people in Cork South-West are ready at the doorsteps.

I wish the people who are running the best. Independent candidates will give people a clear choice for a new type of politics that speaks on behalf of the people and not on behalf of the party. That is what this country needs and has been lacking for many decades. Independent candidates can offer that.

Deputy Catherine Murphy: I welcome the moving of the writs for these by-elections, of which the Social Democrats will contest three, with Sinéad Halpin in Cork North-West, Tracey Carey in Fingal and Anne-Marie McNally in Dublin Mid-West. We have no problem getting women candidates to run, as the Government can see. They are three excellent candidates. I

have already been on the doorsteps in Dublin Mid-West. The issues being raised are issues that people will not want to give this Government a vote of confidence in, including health, traffic and housing. It goes across the spectrum, including people being embarrassed about having to ask their parents to help, people having to stay at home for a long time and hidden homelessness. The question of whether water is safe to drink came up, understandably in the current context. The cost of living is something that people are acutely concerned about. Those are the issues that I heard about on the doorsteps.

Governments tend not to win by-elections except in very specific circumstances because the public view them as a second string election that give people a great deal of freedom to express the discontent that they feel, which so manifestly exists. There tends to be low turnout in by-elections and we all need to encourage people to get out and vote. I won a by-election in 2005 when Charlie McCreevy went off or was packed off to Europe, however one wants to look at it. There were two by-elections on that day, with the other being in Meath. The result came as a significant surprise to the political establishment. Childcare was an issue for many young families in the commuter belt. As a result, €1,000 was allocated in respect of children under the age of five. That was followed by the early childhood care and education, ECCE, year, which has been expanded to have a second year, which is a good initiative. The public put that issue on the agenda.

These by-elections represent a unique opportunity for people to have a say and to put items on the agenda that are not coming to the fore to the extent that they need to. There will be a short period between the by-elections and the next general election, which we expect will be held between now and late spring. This will be the marker that will determine the kind of agenda that will be set for the general election. These four constituencies have a unique opportunity to return people who can make that point. We are looking for support for our three wonderful candidates on 29 November.

Question put and agreed to.

Cork North-Central By-election: Issue of Writ

Deputy Michael Moynihan: I move:

That the Ceann Comhairle direct the Clerk of the Dáil to issue his writ for the election of a Member to fill the vacancy which has occurred in the membership of the present Dáil consequent on the election to the European Parliament of Billy Kelleher, a member for the constituency of Cork North-Central.

Question put and agreed to.

Dublin Fingal By-election: Issue of Writ

Deputy Thomas Pringle: I move:

7 November 2019

That the Ceann Comhairle direct the Clerk of the Dáil to issue his writ for the election of a Member to fill the vacancy which has occurred in the membership of the present Dáil consequent on the election to the European Parliament of Clare Daly, a member for the constituency of Dublin Fingal.

Question put and agreed to.

Wexford By-election: Issue of Writ

Deputy Joan Collins: I move:

That the Ceann Comhairle direct the Clerk of the Dáil to issue his writ for the election of a Member to fill the vacancy which has occurred in the membership of the present Dáil consequent on the election to the European Parliament of Mick Wallace, a member for the constituency of Wexford.

Question put and agreed to.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputies James Browne, Mary Butler, Pat Buckley and David Cullinane - to discuss the overcrowding in the department of psychiatry at University Hospital Waterford; (2) Deputy Peadar Tóibín - to discuss concerns related to planning decisions in County Wexford; (3) Deputy Fergus O'Dowd - to discuss the ongoing drug-related criminality in the Drogheda-east Meath area; (4) Deputy Thomas P. Broughan - to discuss supports with staffing levels and upgrade works for schools in Dublin 17 and Dublin 13; (5) Deputy Niamh Smyth - to discuss additional security supports in the Border region; (6) Deputies Joan Collins and Aengus Ó Snodaigh - to discuss the passport concerns of a child in view of the delay in the implementation of the Children and Families Relationship (Amendment) Act 2018; (7) Deputy Robert Troy - to discuss the water service in Athlone and the need to upgrade the treatment plant; (8) Deputy Fiona O'Loughlin - to discuss the lack of appropriate autism spectrum disorder, ASD, units at primary and secondary level in Kildare; (9) Deputy John McGuinness - to discuss the terms of reference relative to the death of Shane O'Farrell; (10) Deputy Jack Chambers - to discuss the funding crisis at RTÉ; and (11) Deputy Éamon Ó Cuív - to discuss implementation of the MABS report recommendations addressing energy poverty in the Traveller community.

The matters raised by Deputies Browne, Butler, Buckley and Cullinane, O'Dowd, McGuinness and Collins and Ó Snodaigh have been selected for discussion.

Sitting suspended at 1.46 p.m. and resumed at 2.30 p.m.

Report of the Seanad Reform Implementation Group: Statements

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I am pleased to have the opportunity to speak to the Dáil this afternoon about the report of the implementation group on Seanad reform. I had the opportunity to similarly address the Seanad on 24 September last and to listen to the views of Senators on the report. It was an interesting and wide-ranging discussion and I have no doubt Members in this House would also like to get their views on the record about this report. I repeat my acknowledgement of and thanks for the work that has gone into the preparation of the report and the accompanying Bill by the 23 members of the group. I also again thank Senator Michael McDowell for chairing the group.

Before I comment on the report, I will give a quick reminder of the background and context that have brought us to this point. First, the Government is committed to Seanad reform. In order to progress that commitment, an independent working group on Seanad reform, chaired by Dr. Maurice Manning, was established in December 2014. The principal focus of that group was on possible reforms of the Seanad electoral system and the manner in which it carries out its business within the existing constitutional parameters.

The group published its report, known as the Manning report, in 2015, together with an accompanying Bill. The key electoral reform recommendations in the Manning report were as follows: that the majority of Seanad seats would be elected by popular vote in a “one person, one vote” system; that this principle would be extended to include Irish citizens in Northern Ireland and those living overseas who hold a valid Irish passport; provision for online registration of voters and downloading of ballot papers; and a greater role for the Seanad in the scrutiny, amendment and initiation of legislation.

A conservative estimate of the electorate under these arrangements is some 5.3 million people. Since the publication of the Manning report, the Seanad has had a number of opportunities to discuss Seanad reform, including statements on the Manning report in July 2015. A further opportunity arose in June 2016, when Senator McDowell, with a number of other Senators, introduced the Seanad Bill 2016, a Private Members’ Bill based on that prepared by the Manning group. However, it was apparent during the course of those discussions that while we had consensus on the need for change, we still did not have broad consensus on the detail of that change.

Against that background, and with the agreement of all sides in the Seanad, the Seanad reform implementation group, chaired by Senator McDowell, was established. Its main terms of reference were to consider how to implement the recommendations of the Manning report and whether any variations to those recommendations were needed. The group was also asked to provide the text of a Bill to implement its proposals. One of the features of the report is the lack of consensus among the group. The report sets out different statements of position from members of the group who had dissenting views. These range from re-examining the constitutional provisions in regard to the Seanad, with the aim of achieving more meaningful reform, to having an electorate composed only of residents in the State.

Today’s statements arise from the Government’s consideration of the report and its wish to reflect on the position of the Oireachtas before taking any further steps. Therefore, I am here very much to listen to the views of Members on Seanad reform.

The group has not proposed any change to the widening of the electorate at Seanad elections from what was recommended in the Manning report. The proposal to widen the electorate includes extending the franchise at Seanad elections to Irish citizens in Northern Ireland and those living overseas who hold a valid Irish passport. The Government is proposing to hold a referendum to extend the franchise to citizens outside the State for presidential elections, and the relevant constitutional amendment Bill was published recently. That referendum could serve as a useful barometer of the views of our existing electorate for extending the franchise in this way. My view is that we should await the outcome of that referendum before proceeding with extending the franchise for Seanad elections.

Turning now to the variations to the Manning recommendations proposed by the implementation group, the first of these is a proposed change to the number of Seanad Members who would be elected by the public. The group now proposes that 34 of the 60 seats be directly elected from the five vocational panels, whereas Manning had recommended 36. The group also proposes that 15 seats be elected from an electoral college of Deputies, outgoing Senators and elected county and city councillors. This is two more than the 13 seats recommended in Manning.

I am interested in the views of Deputies on the vocational panels, and there was a divergence of views in the most recent Seanad debate on this issue. Is changing the number to be elected by the public and by elected Members, as proposed, satisfactory? Are there more fundamental questions to be asked, for example, whether the panel structure, which was introduced with the Constitution in the late 1930s, is fit for purpose? Do the proposed reforms of the panel system go far enough?

I note that the implementation group supports the proposal in the Manning Bill for a single six-seat university constituency, the franchise for which would be extended to other institutions of higher education apart from the National University of Ireland and Dublin University. This would give effect to the 1979 referendum on this point. However, I also note with interest that the group did not have a consensus on this proposal. An alternative proposal was recommended by some members of the group to divide the university constituency into three sub-panels, each of which would elect two Members. Again, I am interested to hear the Deputies' views on that point.

The implementation group proposes to depart from the Manning recommendation concerning the downloading of ballot papers by voters. This recommendation removes existing doubts around the integrity of Seanad elections being compromised by the use of Internet or other technology. My own view is that I agree with the implementation group on this point and I agree with the report where it concludes that we should tread carefully in the harnessing of technology in the context of the electoral process.

As I mentioned, under the Manning proposals, a conservative estimate of the number of persons who would be entitled to register and vote in Seanad elections is some 5.3 million. This figure is based on estimated numbers prepared by my Department in its publication, "Voting at presidential elections by citizens resident outside the State", which examines options for extending the franchise to citizens outside the State at a presidential election. The implementation group does not propose any change to the electorate for Seanad elections proposed in the Manning report, so we are broadly looking at the same numbers. There is no doubt about the operational and logistical challenges in dealing with such a large number of postal ballots, so careful planning and adequate resources would be needed. It is also worth restating that wid-

ening the franchise for Seanad elections in this way means that the franchise in the State for Seanad elections would be wider than it is for Dáil elections.

The implementation group upholds the Manning recommendation that a separate register of Seanad electors should be established and maintained by a new Seanad electoral commission. However, we estimate that nearly two thirds of those who would be entitled to be on the Seanad register are already on the register of electors maintained by local authorities. The group puts forward the argument that having a separate register that requires voters to voluntarily apply for inclusion on the Seanad electoral register would mean that the register would largely be populated by members of the electorate who have demonstrated an interest in participating in Seanad elections. This, the group argues, would reduce costs and limit the potential for voter fraud because there would be fewer unwanted or unused ballot papers in circulation. The group anticipates that, under these arrangements, rather than there being a rush to register, the growth of the register would take place gradually. The group also anticipates that the number of Irish citizens in Northern Ireland, as well as those living outside the State, who would exercise their right to register would be much lower than the total number entitled to register. However, I am not entirely convinced by that argument as it is quite likely that the uptake to register at a Seanad election could be very high in Northern Ireland, and the same could be said for Irish citizens resident in the State. I believe it is important that we design a system of electoral reform that accommodates the full potential electorate, rather than some anticipated reduced uptake of registered electors.

I am also not convinced that having parallel registers, one for Seanad elections and one for all other elections, is the right approach, particularly in light of the work which is well advanced in the Department to overhaul and modernise the register of electors. This is something that would require very careful examination.

In regard to the establishment of a Seanad electoral commission, this was originally proposed as an interim measure pending the establishment of an electoral commission. However, work is well under way in my Department to prepare the general scheme of an electoral commission Bill. An electoral commission will, therefore, be up and running sooner than previously thought, which means a Seanad electoral commission may not, and I believe would not, be necessary.

There are a number of other Seanad electoral reform proposals that still need to be teased out more fully, and I will touch on one or two of these. For example, it is proposed that when applying for inclusion on the register of electors, a voter would choose the constituency in which he or she would vote at Seanad elections. This could give rise to some constituencies having significantly more voters relative to others and relative to their respective numbers of seats. As far as I can see, the implementation group's Bill does not make any provision for balancing constituencies. How can this be achieved in a practical and manageable way? I also note that there is provision in the text of the implementation group's Bill to place a limit on the period a person has been resident outside of the State in order to qualify to be registered at a Seanad election. This would certainly limit the overall number of electors based overseas. Obvious questions need to be addressed. What period do we think would be fair? How would it work in practice? For example, how would we know for sure how long a person has been resident outside of the State? Again, these issues need further consideration.

There is no doubt but that a reformed Seanad electoral system as proposed would involve significantly increased costs. I welcome the suggestions made by the implementation group to

minimise costs where possible. These include the use of ordinary post rather than registered or prepaid post and the combined candidate election literature rather than separate items of literature for each candidate. We must bear in mind, however, that ballot papers and combined election literature would need to be sent to a significantly higher number of electors than is currently the case, so the costs would inevitably be significantly higher than at present.

The Manning report recommends a number of non-statutory reforms to the way in which the Seanad conducts its business. These could be implemented by the Seanad at any point, and the Seanad could consider doing so at the earliest opportunity. Examples of such reforms include arrangements for Seanad scrutiny of reports from committees dealing with EU matters; debates on committee reports on EU matters being opened and closed by a Chairman or rapporteur or any member of the relevant committee nominated for that purpose; and regular scheduling of committee reports to improve the effectiveness of the House as well as the level of attention given to this work.

An Leas-Cheann Comhairle: Does the Minister of State need much more time?

Deputy John Paul Phelan: I just need about another minute.

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

Deputy John Paul Phelan: I thank the Leas-Cheann Comhairle.

The Manning report adopted the principled objective to develop and strengthen the vocational nature of the Seanad. The report points out, however, that vocational panels are not evident in the way in which debates are structured in the House. Greater prominence could be given to the panels by periodically scheduling special debates on broad themes related to them. Speaking arrangements could prioritise Senators elected to the relevant panels.

It is clear that we have not quite reached a consensus on Seanad reform proposals. The Government wants to pursue consensus by working with Members of this House and the Upper House. Today's debate provides a welcome opportunity for a conversation on electoral and non-electoral reforms of Seanad Éireann. I look forward to hearing the views of Deputies.

Deputy Shane Cassells: I thank the Minister of State for his very candid views on this topic. I welcome the opportunity to speak on the report of the Seanad reform implementation group as I was a member of the group, which met between May and November of last year. When I looked at the filing cabinet this morning to refer to the documents and saw the number of lever arch folders we had amassed during that period, it just reminded me of the huge amount of documentation we pored over, examined and researched. All the members of the group took their work extremely seriously. The report was published on 19 December last year yet it has taken until now, nearly a year later, for this debate on the reforms proposed to take place. I wondered whether it would ever happen at all.

I pay tribute to Senator McDowell and all the officials for their work. It was highly unfortunate that one member, the Minister for Transport, Tourism and Sport, Deputy Ross, ended up on the committee. How a senior member of the Cabinet came to sit on this working committee I do not know, but his appearance for the vote for the chair was insightful in that it was about the only appearance he made over the course of seven months. The election was won by Senator McDowell. One can draw one's own conclusions from that. We never saw the Minister again.

One of the big driving forces for the group was to see the Seanad reform actually take place and to forge a link with the ordinary citizens of this country. Nobody doubts the huge amount of work and extremely important legislative scrutiny conducted by Senators but, equally, nobody can deny there is a huge personal disconnect between the public and the Upper House because of its very narrow electoral base. The Manning report, which was the base document for our group, and implementation of which is part of the Government's own programme, focused on the reforms necessary to the Seanad. As a party, as the Leas-Cheann Comhairle knows, Fianna Fáil fully believes in reforming the Seanad and is committed to doing so. Indeed, it was one of the only parties at the time of the referendum to seek the reform of the Upper House when others advocated abolishing it. Their form of reform was the knife. Thankfully, the people, in their wisdom, did not listen to them, but it is important that the Government listens to the people now in order that we might see real change.

The implementation group agrees that 34 of the 60 seats from five vocational panels, as well as the institution of higher education seats, be directly elected by the people and that 15 seats be retained for an electoral college of Deputies, outgoing Senators and councillors. What a change this would be, particularly when one considers that, at present, 43 of the 60 Senators are elected from the votes of just 1,167 people, namely, our councillors, Members of the Dáil and outgoing Members of the Seanad. Like the Minister of State, I served as a councillor. I did so for 17 years. Councillors value their votes and choose good, decent men and women to represent us in the Upper House. However, I ask the House to imagine the engagement we could create with the people by moving the election of Senators from the hands of 1,167 people to the hands of the people of Ireland.

I listened carefully to what the Minister of State said. It is important to point out that the Seanad reform proposals do not seek to create a mini Dáil because we will still have the vocational panels. I was interested in the Minister of State's views on the vocational panels. They are highly important in this regard in not creating a mini Dáil because people would still have to qualify as candidates on these panels with the relevant expertise. This would produce a different kind of debate in the Upper House. We would have a very different scenario in terms of the people who would then present themselves for election and the scale of the electorate. The Minister of State touched on this. The scale of the battle to get elected might frighten some existing Senators and potential new Senators, but we debated this anticipated scale of the Seanad electorate at length at the committee, taking advice from people such as Dr. Maurice Manning and former Senator Joe O'Toole and experts such as Dr. Theresa Reidy. In the report, we made the following point: "It is anticipated that rather than there being a rush for inclusion in the Seanad electoral register, the growth of the Seanad electoral register will take place gradually over time and pro-active measures may need to be taken [...] to promote awareness and encourage registration." When we refer to the need to encourage registration, this does not strike me as involving a mad rush of people to get onto the electoral register. The report continues: "In addition, when registering to vote in future Dáil elections and local elections, voters may be asked if they wish to also register to vote in Seanad elections and if so, to merely indicate their preferred constituency."

I argued at the time for the Seanad election to take place on the same day as the Dáil election and that the panels of those running would be affixed to the wall as people came in such that they would be able to review it. I pressed this point. I know there were issues as to how the Constitution sets out the timeframe and so forth, but I thought it was worthy to boost participation in the Seanad election on the day. It is also noteworthy that for the 2016 general election

there were 3.3 million registered voters yet only 2.1 million people opted to cast their votes. At the time of the referendum on the eighth amendment of the Constitution, there were approximately 3.2 million registered voters but only 1.2 million people cast a ballot. In the presidential election last year, approximately 3.4 million people were registered but only 1.4 million people cast a vote, while some 2 million did not. As parliamentarians, we need to engage with the public in order to reverse this decline in voter participation which is mirrored in many democracies across the globe. Seanad reform, through expanding the franchise, would be one such move.

The report anticipates that the number of Irish residents who apply to be registered and vote in a Seanad general election would be far lower than the number of people who participate in Dáil elections.

The extension of the vote to Irish citizens abroad presents an opportunity for Ireland to enable its emigrants to maintain a meaningful link with their home country. The statistics presented by Dr. Theresa Reidy from UCC on this subject suggest it is not anticipated that there will be a mass influx of votes that could skew an election. It would be a steady base. We looked at various countries when we were examining this issue.

The Minister of State expressed fears and said he remained unconvinced that the number of potential voters in the North and abroad would not skew votes in the South. What international expertise and documents did he use to formulate that opinion? Over the course of the seven months, we examined numerous countries and looked at the trends over a series of elections and, if anything, there was a high engagement at the start and a tail-off after that. There is a body of work to help ensure interest is maintained when the franchise is extended abroad and to Northern Ireland.

Senator McDowell, in presenting his report last December, stated that the Bill should be introduced to Dáil Éireann rather than into the Seanad and that reform of the Seanad is not a matter best left to the initiative of the unreformed Seanad but is a matter on which the will of the people, as expressed through the Dáil, should be ascertained and implemented. I agree with that and ask the Minister of State to act swiftly on this. I look forward to continued debate on this matter.

Deputy David Cullinane: I welcome the opportunity to debate this issue and take part in contributions and statements on the report of the Seanad reform implementation group.

I do not think the Minister of State will disagree when I say that there have been far too many reports on Seanad reform, none of which has been implemented to any significant degree, if at all. We could all wallpaper our living rooms with the number of reports that have been done on Seanad reform. There has been a debate on Seanad reform in both Houses of the Oireachtas for every week that I have been on the planet which is a considerable amount of time. We have had any number of debates on Seanad reform in this House and the Seanad. There was a call for a debate on Seanad reform almost every week when I was a Senator and yet nothing was ever done.

It is interesting that this report comes from the Manning report in 2014. We have a history of doing reports, not agreeing with everything that is contained in them, and then setting up a working group to look at the report that was done. We then do not agree with the conclusions of the working group which was looking at a report with which we do not agree. We have not, for whatever reason, got to a point where we can implement reforms on which we agree but we

do not have to agree on everything to initiate reform.

People want reform. I supported abolition of the Seanad at the time of the referendum, although not without giving the matter a great deal of thought. The only reason I supported abolition at the time was that the option of reform was not on the ballot paper. We were given a straight proposition to either support the Seanad as it was or support its abolition. However, much of the commentary around that referendum was about reform. Many people who were arguing that people should vote to retain the Seanad were arguing that we retain it, reform it, make it work, make it more democratic and inclusive, bring it closer to people and make it a second Chamber that would actually work for citizens.

The one thing that comes up in all of these debates on political reform, whether reform of the Dáil or Seanad, is that no one likes to give up power. This Government has been in power for the past four years and is still in power despite any amount of commentary around when an election might take place, mainly because the Government does not want to give up that power. It is the same with reform of the Dáil. The Executive does not want to cede power to the Dáil, the Dáil does not want to cede power to the Seanad and neither House of the Oireachtas or any Department wants to cede power to local government. We go around the houses and around in circles on reform of local government, the Dáil and the Seanad.

Behind all of those reports and despite differences that exist between different parties, reports and working groups, some basic things can and should be done. These require legislation. The Government has said in the past that the Opposition can bring forward legislation but it is, in the first instance, primarily the responsibility of the Government to do that. There has been controversy this week about how many Bills are stuck with money messages and opposed by the Government. The Government can deal with this by bringing forward legislation that deals with some of the areas on which there is consensus and agreement. That would be a starting point. The areas of difference can be addressed separately and I will get to that in a few moments.

The reforms Sinn Féin wants would require further constitutional change. I can understand the reluctance of the Government to go back to the people on Seanad reform because it got what the Taoiseach described at the time as a wallop on the issue. It is somewhat understandable that the Government does not want to go back to the people. Having said that, we argued at the time that it would have been better if the option of a reformed Seanad had been put to the people, rather than the straight proposition of abolition. We would be in a better position if that had been done. However, the decision by the people to reject the simple proposition of abolition is not an excuse for refusing to go back to the people. We could reasonably say that, having gone away and reflected on the referendum result, we acknowledge the will of the people to keep the Seanad and are now offering a reform proposition that goes beyond the scope of the Manning report and the working group, which precluded any findings that would encroach on constitutional reform. There needs to be constitutional reform if we want to do away with the elitist nature and some of the undemocratic elements of the Seanad.

Either deliberately or unintentionally, the Minister of State in the past expressed a view that Sinn Féin had dissented from the report. Sinn Féin put forward a supplementary opinion on the report to the effect that we wanted it to go further but it was not possible to do so under the terms of reference of the working group. We wanted to see constitutional reform, an issue I will address shortly, but, notwithstanding that, we are happy for many of the recommendations of the working group to be legislated for in order that there is at least some degree of reform. It

would not be good for either House of the Oireachtas to go back to the people and for the term of both Houses to end without any reform, given that we had a referendum. It would not be good if we simply carried on regardless with the same arrangements and with no reform at all.

One of the constitutional changes we looked for was the abolition of the Taoiseach's nominees. I understand this provision is in place to ensure the Government of the day has a majority in the Seanad. In recent times, however, when the Government has not had a majority or has been close to not having one, the house of cards has not fallen down. We could easily do away with the Taoiseach's nominees.

Sinn Féin has also called for Seanad elections to be held on the same day as the general election so that candidates would have to choose which House they wanted to serve in.

If candidates have to choose what House they want to serve in, the Seanad will no longer be a House where aspiring politicians like me can spend a bit of time before getting elected to the Dáil. Equally, many people who fail to get elected to the Dáil end up going back to the Seanad. I say this not with a sense of irony, but in all sincerity as someone who used the Seanad as best I could before I found myself in this Chamber. It would be better if we were very clear on the respective roles of the two Houses of the Oireachtas. If the elections to both Houses took place at the same time, people could choose which House they want to serve in.

We want the requirement for postal votes to be abolished and provision to be made for equal gender representation. Seanad reform gives us a good opportunity to deal with gender representation in the Oireachtas. Nominating bodies, panels, list systems and other methods should be used to make provision for representation from traditionally marginalised groups in society. Having said that, we would be quite happy to see the recommendations made in the report we are discussing being implemented as soon as possible, even before Sinn Féin enters Government and initiates constitutional reform at some point in the future. I do not think we are going to get such reform from the Government party that got what it described as a "wallop" the last time it proposed reforms in this area.

3 o'clock

I would like to ask a few simple questions. Will the Government initiate legislation on this issue? I am not sure how many months it has left in office. There has been a great deal of speculation about the date of the next general election. Regardless of when it takes place, does the Government intend to introduce legislation? Will returning Seanad election candidates go back to their respective constituencies without having achieved any reform? That would be a sad day for the reform of both Houses of the Oireachtas.

When we critique Government plans, budgets or policies, it is often suggested by the Taoiseach or one of his Ministers that we have no policies of our own, even though we have such a policy in almost every case. I do not know how many times we have heard this accusation being made in the Dáil Chamber, often unfairly and for political purposes. I suggest that the Government is guilty of having no policy in this instance. It is saying it does not agree with the recommendations in the report, but it has not brought forward its own vision of a reformed Seanad. The Government cannot, in all conscience, criticise the report and refuse to accept its findings while at the same time proposing to sit on its hands for another five or ten years, during which time more reports on Seanad reform will probably be produced and more implementation groups will probably be formed. It has no vision of its own. The Government should bring forward a vision. When we see what its vision is, we can decide whether to support it.

Deputy Jan O’Sullivan: We are having another debate on Seanad reform, but we want to see action rather than more debate. Like other speakers, I have participated in these debates before. I was a Member of the Seanad from 1993 to 1997 when Maurice Manning was the Leader of the House. His group produced a report. Subsequently, Senator McDowell’s group produced a report. The Minister of State has said calmly today that he would like to hear our views. He should know my views and those of Deputies Cassells and Cullinane because we represent political parties that are represented in the Seanad. The views of the three parties were expressed during the debate in the Seanad. I am quite happy to debate the matter in the Dáil as well. I absolutely support the view that was espoused by Labour Party Senators in the Seanad and in a written report to the Manning group on 22 January 2015. Our position remains largely the same. I would like the Government to give a commitment during this debate that action will be taken.

I would like to mention some of the most important principles that apply to this issue. It seems from what we have heard from Deputies Cassells and Cullinane that there is a great deal of agreement among political parties on what should be done. We need to see action from the Government. I have some questions for the Minister of State. Will the Government make some decisions on the implementation of the Manning and McDowell reports? We argued in the Seanad that a timeframe for the implementation of these changes was needed. Such a timeframe is still needed. Does the Government intend to decide on a set of reforms that will be implemented in advance of the next Seanad election? Is it the Government’s view that the general 130-page report which was submitted by Senator McDowell before Christmas is the basis for these changes? Does the Government accept the conclusion that the franchise for voting on the panels in Seanad elections should be opened to all Irish passport holders overseas, as well as people in Northern Ireland? We agree that this would be appropriate. When can we expect decisions to be made? Those are the major questions. There is general agreement on the open franchise issue. The Seanad has a role. Obviously, it has a constitutional role. We are in favour of changing the Constitution, but we want to see change implemented now. That is important.

The role of the Seanad is primarily to act as a check and balance on the Dáil. It also gives a platform for a variety of voices on a variety of issues. Its role is constitutionally different from that of the Dáil. We need to ensure it can perform its role effectively. The main issue about the extension of the franchise is that we have to operate within the Constitution as it stands. That is why we have five panels. The Labour Party group has suggested that the powers of nomination could be extended beyond the existing nominating bodies. This could be done without constitutional change. For example, we could provide for popular nomination by 500 people who are on the Seanad electoral register. That would be another option for nomination. That proposal is worth considering.

The most important proposal, apart from the universal franchise proposal, is one that has been espoused by the Fianna Fáil and Sinn Féin speakers during this afternoon’s debate. I refer to the proposal that the Seanad election take place on the same day as the Dáil election. Article 18.8 of the Constitution provides that “A general election for Seanad Éireann shall take place not later than ninety days after a dissolution of Dáil Éireann”. Our party group has proposed that legislation be agreed to provide that a Seanad election by secret postal ballot would take place on the same day as the Dáil election. We suggest that such legislation would prohibit a candidate from running in both elections, thereby breaking the direct link between Dáil elections and Seanad elections. Even though many of us in this Chamber were in the Seanad first, or spent time in the Seanad after being in this Chamber first, most of us will agree that this is

not a good way for the system to operate. We recommend that the Seanad election take place on the same day as the election for the Dáil. It would be constitutionally permissible. It would require some thought about how we define postal elections, but that can be done within the parameters of the Constitution. It would ensure the Seanad does not continue as a mini Dáil. It would break the direct link between Dáil and Seanad elections.

I have mentioned the main issues. I would like to comment on a couple of points that were made by the Minister of State. He referred to variations between the two reports, but I believe they are quite minor. It is now proposed that 34 of the 60 seats be directly elected by the five vocational panels, whereas the Manning report recommended that 36 seats be elected by those panels. Similarly, it is now proposed that 15 seats be elected from an electoral college of Deputies, outgoing Senators and elected county councillors, which is an increase of two on the number of seats that the Manning report recommended be filled in this way. I do not think there should be any delays on the basis of these minor variations between the two reports.

With regard to the university constituencies, the Labour Party would support the concept of a single six-seat constituency that would include all higher education institutions. It is well beyond time for such a change to be implemented. It is completely undemocratic that only certain universities have nominating rights in this regard. We are also making a suggestion to ensure certain people do not have an extra vote. I or any other graduate of those universities can vote on the five vocational panels as well as the university panel. We are suggesting that persons entitled to vote on a university panel would have to choose between that panel and one of the other appropriate panels such that they would not have an extra vote. It is a minor point but it makes sense.

We also proposed a focus on a gender balance. There is already a mechanism for political parties to nominate candidates for election to the Dáil and it should be possible to design a system that would focus on gender balance in the Seanad.

My remarks very much reflect the comments of Labour Party Senators and our written proposals to the working group. My main message is for the Government, please, to get on with it and not have any more consultation or debate. There has been too much consultation on this issue. We need to see reform. To go into the next Seanad election without change would do no service to that House or politics in Ireland. I hope the Government will be able to act after this debate.

Deputy Thomas P. Broughan: I would prefer to retain the current system rather than embark on implementing the findings of this report. I represented the Independents 4 Change technical group on the Seanad reform committee. I strenuously objected to the main proposals in the draft Seanad Bill, which I believe are unworkable, unwieldy, prone to manipulation by wealthy vested interests and fundamentally not in the interests of developing Irish democracy.

On page 21 of annex 4 of the report 4 I set out my views in a statement of position. In it, I recall that from the start of the group's proceedings I had expressed my opposition to the recommendations of the working group on Seanad reform published in 2015 and also known as the Manning report. Ironically, I was a teenager in Professor Manning's politics class when I first visited Seanad and Dáil Éireann. I was struck by the vibrant debate we witnessed between some of the great men and women of the era in Dáil Éireann, with many dynamic speakers. I was then very disappointed to walk to a mostly deserted somnambulant Seanad which had all the atmosphere of an old boys' club. Likewise, when I regularly visited the Seanad as a Deputy

with visiting classes of schoolchildren and constituents, my view that the Seanad should be abolished steadily hardened. For example, in May 2003, I wrote to Mr. Peter Finnegan, our current Secretary General of the Oireachtas, who at that time was secretary of the then Committee on Procedures and Privilege sub-committee on Seanad reform, and urged that the Seanad should be abolished as it was a totally undemocratic, unrepresentative and failed institution. I added that if the Seanad was reformed into a truly democratic body, it would be a rival to the Dáil or function as a second Dáil and issues about the appointment of Ministers from the Seanad and financial and other powers would surely follow.

I have always acknowledged the outstanding contributions of some Senators through the years, such as my former colleagues in the Labour Party like Joe Costello, the late Pat Upton, Michael D. Higgins, Mary Robinson and Senator Ivana Bacik. Distinguished Independents such as Senators Norris, Ruane, Higgins, Black and Dolan also immediately spring to mind. I also closely follow the contributions of Senators Ged Nash, Kevin Humphries and Aodhán Ó Ríordán. Many outstanding Senators were subsequently elected to Dáil Éireann, or in one instance to the Presidency, or should have stood for Dáil Éireann.

I was opposed to the austerity Government under Deputy Enda Kenny and former Deputy, Eamon Gilmore, cutting the size of Dáil Éireann and producing more huge multi-seat constituencies. The current significant expenditure on Seanad Éireann - €10.3 million directly for 2020 in the three-year Oireachtas spending envelope - would be much better spent on elected mayors and executives for our major cities instead of relying on bureaucrats, which would greatly enhance democratic local government. Alternatively or additionally, the money could be put towards a larger Dáil Éireann with a possible representation of one Deputy per 25,000 population, which would result in 20 additional Deputies. In general, Deputies are very good value for money. In my Dáil speech on the Thirty-Second Amendment to the Constitution (Abolition of Seanad Éireann) Bill in 2013, I estimated the full cost of the Seanad to be €20 million per annum or €100 million over a full Oireachtas term. The Houses of the Oireachtas Commission's three-year budget framework 2016-18 gives a direct Seanad spending outturn of more than €26 million for that period.

In my statement of position on page 21 of the implementation group report, I referred to an amendment I proposed which was very brusquely and unfairly ruled out of order by the chairperson of the group, Senator Michael McDowell. The key section of my amendment declared: "the Seanad Reform Implementation Group is of the view that Seanad Éireann cannot be reformed as a truly democratic chamber within the terms of Articles 18 and 19 of Bunreacht na hÉireann". In other words, constitutional change is required. It continues: "The Implementation Group consequently recommends to the government to propose amending the Irish constitution to permit the direct election of sixty senators by all Irish citizens resident in Ireland. Such an amendment will stipulate that Senators be elected alongside and on the same franchise as members of Dáil Éireann representing geographical constituencies closely aligned with contemporary Dáil constituencies with approximately one senator elected with each three TDs." It concluded by asking the current Oireachtas to legislate to permit the content of the amendment to be put to the Irish people on the day of the local and European elections a few months ago.

I devised the amendment because large parts of the draft Seanad Bill 2018, which is included in the report, are undemocratic and hastily conceived nonsense. Chapter 3 of the draft Bill is the most problematic and downright unworkable. It extends the Seanad franchise for 34 seats not just to those with Irish citizenship in Northern Ireland but to all Irish citizens living outside the State and, by implication, all those entitled to Irish citizenship. Up to 50 million people in

the UK, USA, South Africa, Australia, Argentina and elsewhere could, if they so chose, vote for the election of 34 Members of Seanad Éireann. The organisation of such a voting register and electorate would be a logistical nightmare and open to incredible manipulation and abuse. The soothing words in section 6 of the report about this voting register, such as there only being 813,000 current passports in circulation, do nothing to ameliorate these concerns. A few years ago, the former Deputy Eamon Gilmore was unable to tell me how many Irish passports were in circulation - it could be far more than 1 million. I presume they are all outside Ireland. Likewise, the comments in the report of Senator McDowell, who should know better, on ordinary postal voting, which he terms entirely practical, are woefully poorly researched. Is he not aware of the longstanding controversy in the courts on the delivery of fixed charge notices for penalty points? The Leas Cheann-Comhairle is certainly aware of it, as are most Deputies. Serious abuses in postal voting in the UK and elsewhere have been discovered. In some cases, people were brought into a room and signed their voting papers together, led by the local branch of a political party. The cumbersome and ludicrous voting system envisaged in this report would not survive a single Seanad election. It is pointless for Senator McDowell and others to compare the overseas voting registers of hugely populated democracies such as the UK, France or the US with the situation which this report and draft Bill would create in Ireland. The domestic voter registers of such larger countries hugely outweigh votes from their citizens abroad, as for example in the case of the United States, whereas Ireland's history of emigration, with 8 million or 9 million people emigrating within 60 or 80 years, has created a vast worldwide diaspora of which we are very proud, but which is much larger than our domestic population. Senator McDowell's claim that there is no likelihood of some massive or overwhelming imbalance on the register has no basis in reality.

Of course, I agree with the majority of the implementation group that there should be a single third level constituency of six Senators for graduates of all third level institutions.

In my statement of position on page 21 of the report I refer to my support for the proposal for a unicameral Irish legislature in the Thirty-Second Amendment to the Constitution which was very narrowly defeated by 51.7% to 48.3% on a turnout of less than 40% on 4 October 2013. Had a more popular Government been in power, the amendment would have been easily carried. Abolition of the Seanad was supported by the Labour Party, Sinn Féin, Fine Gael, the Socialist Party and many Independents. Indeed, 15 Dáil constituencies voted to remove the Seanad from the Constitution. In 2013, I pointed to the exemplary democracies in unitary states similar to Ireland which had abolished delaying and pointless second chambers or never had such institutions. These states include Denmark - I once sat in the former Danish Senate, which is now the room for its Social Democrats, its equivalent of the Labour Party - Sweden, Norway, Finland, Greece, Portugal, New Zealand and a significant number of other countries. I argued that in those countries, the people are effectively the second house and any available resources are correctly applied to very strong local and regional government structures. In my statement of position I reiterated my view that the Manning report, the report of the Seanad reform implementation group and the draft Seanad Bill 2018 establish five potentially massive and unwieldy Seanad constituencies with unknown registration and election costs and dangers, as well as the very real possibility of favouring wealthy candidates. I noted, "Even the single six seat University Constituency has potentially many hundreds of thousands of an electorate." Up to the current Dáil, the Oireachtas has been largely controlled by the Executive of the day and the Seanad historically had little input into legislation going through the Oireachtas. I accept that in the current unique Dáil and Seanad, with the confidence and supply agreement between the minority Fine Gael Government and Fianna Fáil, there has been more scope for legislative and

other initiatives on the part of Members of both Houses. Even Senator McDowell concedes, in the letter to the Taoiseach which accompanies this report, that Dáil Éireann can override the Seanad irrespective of the Seanad's make-up after 90 days on any legislative matter. Therefore, very fundamental questions remain about the efficacy of an expensive second Chamber in any small unitary state.

This woolly, cumbersome and ill-thought-out report before us cannot and should not be implemented. It is a very expensive recipe for disaster. The Chairman should not have ruled out my amendment A. I favour an early second referendum on such a proposal just as I hope our British friends will have their early second referendum on the European issue and they will actually remain in the European Union. If, however, the Seanad cannot be abolished, the only responsible workable and democratic option is for our people is to elect all 60 Senators by universal franchise on the same day as and in similar constituencies to a Dáil election.

Even the statement of position on page 23 of the report by our four Fine Gael colleagues, Senators Byrne, Paddy Burke, Buttimer and McFadden, reflects the great unease of many of the members of the implementation group on this report's proposals and a feeling on their part that it would be better to leave the current Seanad structure alone rather than embark on the type of Mad Hatter proposals championed by Senator McDowell.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I thank the Deputies who have contributed. I again thank those who participated in the group and Senator McDowell, who chaired it. I also acknowledge the former Senator, the late Feargal Quinn, who was very involved in the referendum campaign and who was also an outstanding Member of the Upper House for many years.

This is the first discussion on Seanad reform to take place in the Dáil during my time in the office I hold. Senators - at least one of them is seated at the back of the Dáil Chamber now - were adamant that the report should be discussed by the Dáil at the earliest opportunity. I acknowledge what Deputy Cassells said about it being a year since the report was published. For six months, I have been asking the Business Committee to have the debate and I am glad we have had the opportunity to engage in it this evening. Even having this discussion highlights the lack of unanimity that exists, contrary, in particular, to what Deputy Jan O'Sullivan said. Any proposals we introduce which change our electoral system and the nature of our democracy are by their very nature ones that should not be taken lightly. We have seen more evidence today that there is a complete lack of unanimity at least as to how we should proceed.

I want to address specific issues that Deputies raised. Deputy Cassells spoke in support of reform, strengthening the link between the Seanad and the public. The latter is a proposal with which I agree. The Deputy also supports the vocational panel system. I served two terms in the Seanad having been elected via the Agricultural Panel. My issue with the vocational panel system is that it bears no resemblance to the actual activity as things stand of the Seanad. Many party spokespersons in the Seanad were not elected via that particular vocational panel at all. It was just a mechanism that qualified people could use to be elected but was not reflected in how the Seanad necessarily acted.

Deputies Cassells and Jan O'Sullivan suggested that the Seanad be elected on the same day as the Dáil. The report states that it would be neither practical nor desirable to hold the Seanad election on the same day as that for the Dáil.

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Deputy Shane Cassells: I accepted that at the time. I was just making the point that during our deliberations-----

Deputy John Paul Phelan: I am just highlighting the lack of unanimity, to say the least, that exists.

Deputy Cassells asked what international expertise I used in my assertion about registration. I just use the practical interpretation that we, as public representatives, use. In other words, it is not sufficient to state that just because a group believes that not everybody who is entitled to register will do so, it will be possible to avoid administrative problems when it comes to the compilation of an electoral register. The starting point should be that the maximum number of people should engage in the process, and that is what we should be about facilitating. I understand the Deputy's point to the effect that it might be a more gradual process in reality. However, we cannot legislate for a House of the Oireachtas being elected on the basis that only a quarter of the people entitled to vote will actually register to do so. That is not the way any legislature should operate.

Deputy Shane Cassells: The report states that we should have maximum participation.

Deputy John Paul Phelan: I agree. However, the report's authors proceed to outline why they think there is not a hope of that happening, which is completely contradictory, but there are many contradictions in the debate.

Deputy Cullinane stated that I do not accept the report. There are chunks of it that I accept, including the need to implement the 1979 referendum result. I certainly accept the provisions of the Manning report and those in this report which suggest that the Seanad can reform the way it conducts its own business. Deputy Cullinane and, to an extent, Deputy Broughan expressed the view that if the Seanad is to continue, it must be through constitutional referendum rather than on the basis of the current parameters. I am not totally opposed to the vocational panel system, but it was representative of a time in the 1930s when those types of structures were more popular than they have proven to be subsequently.

I point out to Deputy Jan O'Sullivan that the implementation group's report specifies near the end that no reform should take place before the next Seanad election. I want to see reform happen. My commitment was to come to both Houses of the Oireachtas to discuss the report and to report to Government. I hope to do that before the end of the year. The Government will then make its decision as to how to proceed on the issue of reform of Seanad Éireann.

I again thank the Deputies who contributed to the debate.

Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Finance, Public Expenditure and Reform and Taoiseach has completed its consideration of the Finance Bill 2019 and has made amendments thereto.

Saincheisteanna Tráthúla - Topical Issue Debate

Mental Health Services

Deputy James Browne: I am disappointed that the Minister of State with responsibility for mental health is not here. While I appreciate that he may have other places to be, it is too regular an occurrence that a relevant Minister or Minister of State is not here to answer these questions. I wish to raise the very important issue of overcrowding and neglect in the department of psychiatry in University Hospital Waterford, which serves patients from Waterford and Wexford. My colleague, Deputy Butler, also called for this special debate but she sends her apologies as she is in hospital for a minor procedure and could not be here. She has been very strong on this issue.

We recently heard very harrowing accounts from patients and families of those who have attended the department of psychiatry there, Shauna Aylward on WLR FM and Ray Shannon on South East Radio and many on 'Liveline' on RTE. We have heard accounts of overcrowding, people being over-medicated and over-stretched staff that are totally unacceptable. There are stories of 24 patients in a 14-bed ward, patients on chairs and on floors. I have raised this issue several times in the past. I have asked the HSE how many patients are being kept on chairs and on floors and I have been informed that it does not keep an account of that, which is also unacceptable. A hospital should be a place of comfort, care and recovery. Instead, the patients are in a state of fear and neglect, and staff are overstretched.

Deputy Pat Buckley: I want to humanise this issue because we are all well aware of what is happening in University Hospital Waterford. Shauna Aylward describes hell on Earth. She spent three months in the unit earlier this year. She stated:

I had no idea of what I would expect, I had no idea it would be like that. I thought this would be somewhere I could get help, somewhere I would feel safe and could get better. Unfortunately what I witnessed was a disgrace.

She said she saw a patient being dragged naked down a corridor to be put in the seclusion room and stated: "I was too scared to go to the dining area to eat ... I was starving and I began to feel institutionalised." She said conditions at the unit were sometimes so bad that "you could go out of the ward and come back and your bed was occupied by a new patient". She added, "I didn't need to be pumped full of meds, I just needed somebody to talk to me."

A spokesman for the HSE said it does not comment on individual cases. This is not an individual case, as there are so many patients affected by this. It is an absolute and utter disgrace. I wish we could have some clear indication of who is responsible for the appalling treatment of these people.

Deputy David Cullinane: I too think it is terrible that the Minister of State with responsibility for mental health is not here. I have raised this issue in the House on several occasions. A few weeks ago, on foot of the most recent report from the Mental Health Commission, I raised it during Questions on Promised Legislation. There were clear warnings, not just in the most recent report but in a series of reports from the commission, that there are serious problems in the psychiatric unit at University Hospital Waterford. It found that residents' general health needs were not monitored and assessed in line with their appropriate and specific needs, that

physical examinations were inadequate, that residents did not have access to a supply of appropriate emergency personnel and that the unit was not clean, hygienic and free from offensive odours. We have since found out that there are people sleeping on floors, there is overcrowding and patients are given a blanket or a chair. That is completely unacceptable.

The nurses are organising a protest on Friday outside the hospital. There is a real urgency to this issue yet the Minister with responsibility is not here. People are scandalised that this is happening time and again at that unit in the hospital. Patients are telling their stories and the Minister of State with responsibility does not see fit to show up to the Dáil to take this matter. I did not get any indication why he is not here. There may be good reason but given the seriousness of this issue, with psychiatric patients sleeping on floors, it is appalling.

Minister of State at the Department of Health (Deputy Catherine Byrne): I will be taking this matter on behalf of the Minister of State with responsibility for mental health, Deputy Daly, and I will bring to his attention the Deputies' disappointment that he could not be here. I do not know where he is.

I thank each of the Deputies for raising this very important issue. The Department of Health is aware of the issues and officials in the mental health unit have been in constant communication with the HSE to monitor the situation. The 44-bed department of psychiatry is the designated approved centre for acute inpatient services for the counties of Waterford and Wexford, serving a catchment area of 265,000. It is acknowledged that the acute bed numbers in Waterford are below the national average and there can, at times, be issues of over-capacity. Over the October bank holiday weekend, unprecedented demand on the service put significant pressures on the department of psychiatry in Waterford. This included ten involuntary referrals. By comparison, there were 21 in the entire previous quarter.

The department of psychiatry in Waterford took immediate steps to address the over-capacity issue, including using acute beds in alternative HSE areas, private placements and specialist rehabilitation beds in long-stay centres. There are currently 43 patients in the department of psychiatry at Waterford and considerable efforts are ongoing to manage the demand on the service and where appropriate, discharge planning to community mental health teams and facilities.

Regarding the allegations made by an employee in the media, I assure all the Deputies that the Department takes patient safety and healthcare very seriously. The mental health unit has asked the HSE to investigate these allegations and report back. The HSE has assured the Department that the situation is being constantly monitored by both local and national mental health service management and the new clinical director for the department of psychiatry, who started this week, is expected to further assist in overall clinical management.

The HSE, in conjunction with Waterford general hospital, is in the process of reviewing the existing department of psychiatry to assess long-term options to increase capacity. They will keep the Department of Health informed of any developments in this regard. The Minister of State, Deputy Daly, will also be meeting Deputy Browne next week to discuss this issue further. A total of €39 million has been added to the mental health budget for 2020, increasing the annual allocation to €1.026 billion. This represents an increase of over €315 million since 2012. This funding will help in the continued improvement and development of mental health services. However, funding alone is not enough. We also need to consider how we deliver services and how we can reduce demand for the specialist mental health services. In this regard,

the HSE is introducing a number of digital mental health initiatives that are being driven by the Department of Health. These include telecounselling and telepsychiatry projects.

A pilot has been undertaken in the Wexford-Waterford region and will provide remote psychiatric consultations for the child and adolescent mental health service, CAMHS. Greater use of the technology available to us will help to deliver services at as early a stage as possible and will help to ensure that mild mental health issues are dealt with before they become more serious. These initiatives exemplify the serious intent of the Government to progress and improve mental health services not just in Waterford but throughout Ireland.

Deputy James Browne: The fact the Minister of State with responsibility for mental health could not even give a reason as to why he is not here is totally unacceptable. It shows the Government's level of contempt for this House.

There is nothing new in this case. The Mental Health Commission found that the Waterford department of psychiatry had a mere 57% compliance rate this year. The alternate unit nearby, St. Luke's in Kilkenny, was prosecuted in the criminal courts for patient neglect. This shows the lack of care provided across the south east. There was nothing in the HSE's capital plan this year for the provision of new units in the south east. There is a mention of a business case. Where is the healthcare or moral case? Why does one need a business case to ensure patients should not be left lying on floors or sitting in chairs?

People recover best when they are treated locally. The Minister of State's response referred to remote psychiatric consultations. That is of no benefit to people who need inpatient care, however. We used to have one of the highest numbers of psychiatric beds in the world. Too many people were kept in inappropriate facilities. We now have the complete opposite with a complete shortage of inpatient psychiatric beds in which people can recover. The Minister needs to intervene and put a plan in place for the south east to ensure psychiatric patients can recover in a safe and appropriate environment.

Deputy David Cullinane: In her response the Minister of State referred to Waterford general hospital. It is not a general hospital. It is a university and regional hospital. The Government might want it to become a general hospital. It is certainly doing its best to reduce it to that level. It is a university hospital and it should be given its correct title.

I am not taking this out on the Minister of State but people in the south east and across the State have been shocked by the images of psychiatric patients lying on floors in the unit in question due to overcrowding. It is beyond a scandal. It has been highlighted time and again by politicians in this Chamber and by people who work in the unit. They are not to blame. Nobody can blame the staff in the unit for what is happening. This is a capacity issue. St. Senan's hospital in Wexford was closed several years ago which was the start of this problem. Patients from Wexford are referred to Waterford but it does not have the capacity to deal with them. There are 44 beds, 14 acute and 30 sub-acute, in Waterford department of psychiatry. They are taken up every day and there is oversubscription.

I cannot understand why the Government is not dealing with this issue. What is the point of us raising this issue in the Chamber if the Minister of State with responsibility for mental health is not here? It is frustrating. People are angry that this is happening to patients in that unit in Waterford. The Government needs to do more.

Acting Chairman (Deputy Declan Breathnach): The Deputy is going over time and is

reducing the Minister of State's time to reply.

Deputy Pat Buckley: I thank the Minister of State for her reply but I might as well have been looking at the blank side of the page. It was totally inadequate.

This scandal is happening all over the country, not just specifically in Waterford. The Minister of State with responsibility for mental health and the Minister for Health have copies of protected disclosures from personnel in mental health services. They have not been acted on, however, in the past six months. It is appalling and atrocious how patients are treated.

For Christ's sake, will the Government do one thing right? Will it respect the people who tell the truth in this country? Will the Government respect the patients in the mental health services and the staff who are doing their best? Of all things, the Government cannot expect young people to sit 31 hours on a chair and 11 hours on a trolley only to be told there is nobody to see them.

Mental health services are shambolic. If the Government does not start investing in people and stop giving us fantasy figures, we will have more deaths on the books. It will be the Government's fault. Will the Minister of State take this issue back to the Minister responsible? The time for talking is over. It is time for action because people are suffering. I will not be responsible for another death but the Government will be.

Deputy Catherine Byrne: I acknowledge the frustration, anger and the horrific stories relayed here this afternoon. I am not in a position to comment on them, however. Nobody in any hospital should be subjected to some of the behaviour referred to in the allegations made earlier. I cannot comment on them but when people are sick they need the best care. Staff in all hospitals, mental health or otherwise, do their utmost to facilitate people and look after their health and well-being.

I do not know where the Minister of State is. However, there is an option that if a responsible Minister cannot be here, a Deputy can withdraw his or her Topical Issue matter. I do not know what happened today.

Deputy David Cullinane: We were not informed he would not be able to attend.

Deputy Catherine Byrne: I just know he cannot be here this afternoon.

Everything is being done through private placements and special rehabilitation beds in long-term care centres to deal with the overcrowding in the area. As has been mentioned before, the Minister of State, Deputy Jim Daly, is confident the HSE will manage the situation effectively by taking immediate action and steps to address overcrowding. The HSE has assured the Department of Health that the situation is being constantly monitored and will be kept informed of developments in this regard. The HSE, in conjunction with Waterford general hospital, is in the process of reviewing existing units to assess long-term options to increase capacity.

I will bring Members' concerns, as well as the serious allegations made, about the care of people in this hospital. There is an option for a Member to withdraw his or her Topical Issue matter if the Minister responsible is not available to take it. Unfortunately, I am not in a position to respond to some of the allegations made.

Deputy James Browne: We received no notice that the Minister of State responsible would not be here.

Acting Chairman (Deputy Declan Breathnach): We have debated that matter sufficiently.

Gangland Crime

Deputy Fergus O'Dowd: This important debate is at a difficult time for people in my community, particularly in east Meath and Drogheda. A gang war has been going on for some years in Drogheda. Despite the welcome efforts and supports which the Garda and the Minister for Justice and Equality have put in place, we had a second gangland killing this very week. It shocked and appalled everybody in our area.

I welcome the commitments given by the Garda Commissioner and the Minister for Justice and Equality to our community. They have personally visited the areas in question. Not only that, but they have provided significant additional resources to the Garda in Drogheda to fight this appalling level of crime.

Due to the excellent work of the Garda, some of the criminal activity has been displaced and moved into the county area of south Louth. This week, sadly and appallingly, it moved into a built-up fine estate in east Meath. The people in east Meath are concerned because the Garda actually patrolled the estate in question half an hour before an assassination by a criminal gang of a rival criminal gang member. What the people want is increased resources in the east Meath area.

One concern is that the population of east Meath has grown exponentially. As the Acting Chairman knows, up to 10,000 people now live in the area between Julianstown and Drogheda which used to be a sparsely populated rural area. The Garda station there is physically inadequate. There are 18 gardaí based there, two of them sergeants. They have no operational room and it does not have sufficient opening hours. We need a new Garda station there. I was in communication with the Garda Commissioner some weeks ago about this matter. I do not expect the Minister to give me an answer on that today. However, the issue is presenting a difficulty. The nearest official control centre for the Garda in east Meath is Ashbourne which is many miles away. The Garda station in Drogheda is closer.

I raised this issue with Garda chief superintendent, Christy Mangan, on Monday, the day before this assassination took place. He told me that there are protocols in place and cover for east Meath is provided by Drogheda Garda station which is in the Louth division, as and when the seriousness arises. The people in the community of east Meath are not clear on this issue. We need a statement from the Minister and the Garda Commissioner on this. I know the Garda Commissioner is coming to a joint policing committee in the east Meath area shortly. Perhaps, when it is appropriate, the Minister will visit the area, as he did Drogheda, to reassure residents that he is doing his best. We need increased physical presence in terms of Garda. The Minister will be aware that the Garda Commissioner is due to visit the area.

The fight against crime is never-ending and drug crime is a significant and serious issue in Drogheda but An Garda Síochána is winning. There is no doubt but that increased pressure in terms of policing, the Armed Response Unit and CAB is making its mark, but we need more. As recently as Monday last, Superintendent Christy Mangan in Drogheda made an application for the retention of the current resources into the future. I am not suggesting there is any doubt in this regard, but there was a serious question raised about the matter earlier in the week.

Minister for Justice and Equality (Deputy Charles Flanagan): I thank Deputy Fergus O'Dowd for again raising this matter. I condemn the violent loss of life that occurred on Monday last in Bettystown, County Meath. As Deputies will be aware, An Garda Síochána is conducting a full investigation into this matter and I am limited in what I can say about an operational matter. Deputy O'Dowd has been unstinting in his advocacy on this issue over a long number of months. I acknowledge his leadership in the area and I echo his appeal to anybody with any information on this matter to contact An Garda Síochána at the incident room in Ashbourne Garda station or the Garda confidential line I800 666 111.

More generally, I am aware of the concerns of the people in the area referred to by Deputy O'Dowd and of the constituents of County Louth, which is also the constituency of the Acting Chairman, Deputy Breathnach. I can assure the people of Drogheda and east Meath that neither the Government nor An Garda Síochána will permit a small number of individuals to continue to put local communities in fear for their safety.

The Taoiseach and I visited Drogheda over the summer and we were both very impressed by the robust response which has been put in place in the region by the Garda authorities under Operation Stratus, which consists of high visibility patrols and checkpoints, days of action, covert policing initiatives and the targeting of specific parties engaged in fued-related criminality. This operation, supported by divisional and district uniformed and plain-clothes personnel and, in particular, the roads policing unit, community engagement and public safety personnel, detective drugs and crime units, the Garda National Drugs and Organised Crime Bureau and the emergency response unit. The Garda has made important progress in tackling the threat of organised crime and they work closely with colleagues in other jurisdictions in investigating the supply of drugs and guns.

I remind Deputies that co-operation with relevant agencies and intelligence-led policing is producing significant results in the fight against organised criminality in Drogheda and elsewhere. For example, last week gardaí attached to the Garda 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 continuing. Against this background, the Government has made unprecedented resources available to An Garda Síochána of €1.76 billion this year, plus €92 million in capital investment, which is a 50% increase in capital funding on the allocation for 2018. Provision for next year has increased to €1.882 billion, as well as capital investment of €116 million, which is a further 26% increase. As Garda numbers are increasing, we are on track to meet the Government's target of an overall Garda workforce of 21,000 by 2021.

I acknowledge the work of Chief Superintendent Christy Mangan and his team in Drogheda and Louth. An Garda Síochána has the full support of the Government in its ongoing work and we are providing record resources to enable it to perform its critical role in difficult and challenging circumstances, as outlined by Deputy Fergus O'Dowd. The purpose of this funding and the Government's support for police reform is to ensure the best possible policing services are provided across the country and, in the context of this debate, Drogheda and east Meath.

I again thank Deputy Fergus O'Dowd for raising this important issue this evening.

Deputy Fergus O'Dowd: I welcome the Minister's comments and his continued affirmation of support for An Garda Síochána, in particular Chief Superintendent Christy Mangan and his team and Superintendent Fergus Dwyer who is also very active in this area. The people

of east Meath want public awareness of the increased co-operation between the two divisions. Crime knows no boundaries and for criminals who want to target particular people for money, or an enemy, there are no barriers. There are equally no barriers between the two police services but there is an administrative issue, but I acknowledge this is a matter for the An Garda Síochána, not politicians. The people of east Meath need a public initiative or a statement from the Garda Commissioner regarding the co-operation of services in relation to this issue and an assurance that all available resources will be deployed. There is a need for additional resources because of the displacement of crime, particularly into east Meath. The level of Garda activity in Drogheda is high but, unfortunately, this has displaced some criminal activities. Both of the assassinations-murders related to this feud took place outside of the town of Drogheda, although that is not to suggest there were not attempts in this regard within the town as well.

I reiterate that An Garda Síochána is winning this battle but it needs our continued support. Like me, Deputy Breathnach is aware that Chief Superintendent Christy Mangan announced on Monday last that he would be making an application this week for the retention of current resources. He is not seeking additional resources in his area but he wants an assurance, and demands, as we do in support of him, that the current level of resources be retained, and I do not think there is any doubt about that. However, there are additional resources in east Meath. I appreciate the Minister listening to what I have to say.

Deputy Charles Flanagan: I acknowledge what the Deputy said in respect of the administrative issue. I trust it is an operational issue that will be dealt with positively by An Garda Síochána. Over the past three years, and due to Government funding, the Garda strength in the northern region has increased to approximately 1,500. I take this opportunity to assure the Acting Chairman, Deputy Breathnach, and Deputy Fergus O'Dowd, who raised this issue, that this figure includes, for example, the 25 new gardaí assigned to Drogheda in June by the Garda Commissioner. There are now more than 150 additional gardaí deployed in the northern region, as compared with the position two years ago. I trust that this will continue in the context of further gardaí coming on stream from Templemore over the next few weeks. I visited Drogheda and I met some of the 25 new gardaí. I have seen their enthusiasm, ambition and expertise and I acknowledge their work. They are supported by approximately 160 Garda staff in the region, which has increased by almost 35% over the past three years. The increase in Garda staff means that gardaí can be redeployed from administrative duties to operational policing duties where their experience can be utilised to best effect. Significant financial resources are being made available to An Garda Síochána. The efficient use of these resources, including the deployment of personnel, are matters which are, by law, for the Garda Commissioner. I fully support him and the wider management team in An Garda Síochána in their tireless efforts to keep our communities safe, in particular our communities in Drogheda and east Meath, as raised by Deputy O'Dowd. I assure the people of Drogheda and east Meath of the continued support of Government until the small number of people responsible for most unacceptable crimes are brought to book and taken out of business.

4 o'clock

Public Inquiries

Deputy John McGuinness: Deputy Eugene Murphy is beside me on these benches and, with others in this House, we have joined together to highlight the case of Shane O'Farrell, a 23 year old law student who was murdered on a road close to his home. His mother Lucia, father Jim and his family have continued to lobby for an independent public inquiry. In June of last

year, this House endorsed their wishes and democratically came to the view that an independent public inquiry was necessary. The Seanad did the same the following February. Then negotiations opened in terms of the appointment of Judge Haughton. The Minister allowed the family to discuss the terms of reference with Judge Haughton and they had their input into it. The family members were encouraged by that and felt, with their additions and amendments to the terms of reference given by the Department, that the terms of reference were adequate to cover an investigation into the night of that event, the previous charges brought against the driver of the car, the conduct of the Garda, the conduct of the courts, the conduct of the Office of the Director of Public Prosecutions, DPP, and so on. Then their hopes were dashed. All of the suggestions made to improve the terms of reference have been rejected by the Minister's Department. I find that very difficult to take, given the fact that all of the evidence in respect of this has been collected, dated and put in perfect order by Lucia O'Farrell in the interest of uncovering what happened her son Shane and in the interest of justice and protecting their right to have a public inquiry, which is supported democratically by the wishes of the majority in this House.

The Minister and his Department are about to embark upon an inquiry that will not answer the questions that are relevant to the full inquiry that Lucia O'Farrell is asking for. Will the Minister re-examine the submission made by Judge Haughton? Will he re-examine the submission made by Lucia O'Farrell? Will he expand the terms of reference to include all of the issues that are of public concern contained in this case where Shane O'Farrell died? If he does not, he will be ignoring the democratic wishes of this House. I feel that if he refuses to change the terms of reference, he should bring the terms of reference that he is suggesting back into this House so that we can debate them and suggest amendments where we feel the issue is not being addressed. If the Minister has respect for Shane O'Farrell's family and respect for this House and its wishes, surely he must feel obliged to bring the terms of reference back for a fuller debate. In answering the call for an independent public inquiry and having the terms of reference expanded, it will shine light on the system that needs to be reformed and corrected if we are not going to have another case similar to that of Shane O'Farrell and all of what happened to him and his family in the course of the investigation of that death.

Deputy Charles Flanagan: I acknowledge the input of Deputy McGuinness in this sad and tragic case. I thank him for allowing me the opportunity to update the House on developments. I want to make it very clear that there is no conspiracy here. There is no cover-up here. I want to uncover the truth and the facts as much as any other Deputy in this House. That is why I am pleased to have the opportunity to clarify a number of issues that have arisen in the public domain. First, as I have said in reply to parliamentary questions and other fora, the terms of reference of the scoping exercise being conducted by Judge Gerard Haughton have been finalised. While the terms of reference for the scoping exercise are focused, they allow for review of the issues intended. I want to assure the Deputy that there is no intention on my part to limit in any way or curtail the scoping exercise. Second, as Judge Haughton has been asked to make an initial report by mid-November, I am expecting to receive that interim report in the very near future. I expect that Judge Haughton will, in that interim report, set out for me the expected timeframe for completion of the scoping exercise he has been charged with. I want to be very clear that Judge Gerard Haughton, a man of integrity and honour who has been on court benches for many decades, is independent of me and is free, as I said to him at the outset and as I confirmed by way of parliamentary question. I make it clear to Deputy McGuinness again now that Judge Gerard Haughton is free to make any recommendation he deems fit, including the setting up of any form of statutory or non-statutory inquiry or investigation. Indeed, should Judge Haughton recommend an inquiry of whatever type, I have asked him to provide draft terms of reference

for such an inquiry in order to ensure that there is no element of greater delay involved here. I hope those points clarify any concern or confusion which may have arisen.

I want briefly to address the question of the terms of reference of Judge Haughton's scoping exercise in some detail. As the Deputy will appreciate, in establishing the scoping exercise itself and in determining its terms of reference, I have been guided by legal advice from the Attorney General. In advance of finalising the terms of reference, the most recent advice available to me and my Department recommended more focused and specific terms of reference to take account of the Supreme Court's decision in the case of *Shatter v. Guerin*, a judgment with which Deputy McGuinness will be particularly familiar. Notwithstanding this requirement to amend the original draft terms of reference, it is important to say clearly that there is no impediment or obstacle in respect of Judge Haughton and his position to make any recommendation he deems fit in respect of any future inquiry. Furthermore, the O'Farrell family is free to make any representations to Judge Haughton in relation to any matter it would wish to see inquired into in any future inquiry.

As I have said, Judge Gerard Haughton is an experienced and respected judge. He is also most dedicated to the work he has been asked to undertake. He is free to make any recommendation he sees fit in respect of this matter. I know, as Deputy McGuinness has said, which I appreciate, that he has been engaging with the O'Farrell family. I hope that this engagement would continue. For my part, I am as anxious as anybody to make progress on this matter but as Minister for Justice and Equality I must endeavour at all times to act clearly within the law and that is what I am seeking to do in this most sensitive and tragic case. I look forward to receipt of Judge Haughton's initial report. I should have it before the end of this month. I would be happy to engage further with Deputy McGuinness and others at that time.

Deputy John McGuinness: I would welcome that but I am confused by the reply the Minister has given. I did not mention conspiracy or cover-up: I never mentioned that. Nor did I question Judge Haughton or his integrity or anything else about the judge. The Minister seems to defend something that has not been presented to him as an argument. The family has said to me, and I wrote it down, that subsequent to Judge Haughton having met it, he submitted terms of reference to the Department on 24 April 2019. The family respects these terms, which go some way to reflect the motion passed in the Dáil and Seanad. That is what it has said but it also said that the Department has rejected Judge Haughton's terms of reference, and narrowed the original terms of reference which the Department had proposed in February 2019. It has removed reference to Shane and to the family's right, under human rights, to ensure an effective investigation into the unlawful killing. To date, the State has failed in its obligations in that regard. It further said that it has removed consideration of the prosecution of Shane's case, which was the first thing for consideration by the Department in the February terms of reference. It removed any consideration of the coroner's inquest into Shane's death, in which serious irregularities emerged. It removed any investigation into the previous prosecutions of the accused, despite him being in breach of multiple counts of bail when he killed Shane. It limited the judge's taking into account of the outcome of reports prepared, being reports which in the family's view are deficient in many ways, rather than having a review carried out of the investigation behind these reports, as originally envisaged in the terms of reference.

The family engaged with the Minister and with Judge Haughton and is deeply dissatisfied with the manner in which this is progressing. I appeal to the Minister, based on the vote taken in this House, to please re-engage with Lucia O'Farrell and her family and with Judge Haughton. Please respect the type of inquiry that was asked for, which was a public, independent inquiry.

There is too much at stake here.

We will learn a great amount from this case if we allow the judge full scope to deal with every single aspect outlined by Lucia O'Farrell. It will benefit the State.

Deputy Charles Flanagan: I agree with Deputy McGuinness that all those concerned, in particular, the family in question, would engage fully with Judge Haughton. I am very aware, having met with the family on a number of occasions myself, having engaged with Deputy McGuinness in the past, and having seen his advocacy and interest, that at the heart of this matter is the loss of a loved one by the O'Farrell family. I know that the family continues to feel acute pain arising from this dreadful loss and continues to seek answers.

As I said, the terms of reference of the scoping exercise are finalised and Judge Haughton is expected to make his initial report to me within the next couple of weeks. He is free to make any recommendation he deems fit, including the setting up of any form of inquiry or investigation. Indeed, in the event that Judge Haughton recommends an inquiry, of whatever type, I have asked him, in order to ensure no further delay, that he might include draft terms of reference for such an inquiry in his report. I will be happy to continue this engagement with Deputy McGuinness and Deputy Smyth, who also has an interest in this case.

I would also urge all concerned to engage fully with Judge Haughton, who is independent of me, and to continue to acknowledge and engage in the input to his important work. I look forward to receiving his report, which I understand will be completed and ready for me in the next couple weeks.

Passport Applications

Deputy Joan Collins: I wish to raise the issue of the granting of a passport for Sofia, the child of Sinéad Deevy and Kashka Sankowska. This is in light of the fact that the Children and Family Relationships Bill has not been fully enacted, leaving Sofia effectively stateless and unable to travel home to Dublin.

Both Ireland and Poland have refused to acknowledge the existence of Sinéad's and Kashka's daughter because they are both women and are unable to obtain any documentation for their daughter, apart from her Spanish birth certificate which has both of their names on it. That does not, however, get Sofia any kind of passport or official identification. Their daughter remains stateless and as a result, they are unable to return home to Ireland or to travel anywhere else that involves a hard border. This is a clear violation of Articles 7, 21, 24 and 45 of the EU Charter of Fundamental Rights and Articles 3, 7 and 8 of the United Nations Convention on the Rights of the Child. She has fallen through the legislative cracks of all these countries, rendering her illegal in every country. They have applied for Spanish citizenship, which is going nowhere at the moment. Both are now at the end of their wits and are truly concerned for Sofia's safety on so many levels, not least because she has no photographic identification saying who she is, thus, in reality, she does not exist. This is a very frightening reality for any parent.

We also know that the Minister, Deputy Harris, confirmed recently that he would be signing off on the pertinent regulations of the Children and Family Relationships Act 2015 which will recognise two mothers on a birth certificate from 2020. The parents have that. They are not looking for an Irish birth certificate but are looking for a temporary passport in order to bring

their daughter home and, hopefully, to make it back in time for Christmas so that her 84 year old granny can welcome her home to Ireland.

Deputy Aengus Ó Snodaigh: I concur with everything Deputy Collins just said. It looks, on the face of it, like a very simple case of an Irish citizen stuck in Spain, because her mother is Irish, looking for travel documents to allow her, at the young age she is at, to come back to Ireland, to enjoy the company of both parents, to hopefully grow up in Ireland and to avail of a passport when that opportunity arises next May. Can the Department and the Minister exercise discretion and compassion in this instance? This is literally looking for travel documents to allow this child to return to Ireland.

Sofia is stuck in a legal limbo which is not of her making and which none of us expected when we passed the Children and Family Relationships Act 2015. We intended, as a consequence of this Act, that children in this instance would be able to avail of an Irish passport, but bureaucratically we are going to have to wait until May. The intent and the effect of the law should be to look at cases such as this one, which are harrowing for the parents who are afraid for their child who has no passport and who basically has no rights in the country she is in because she has no identification documents. She has a birth certificate which states clearly who her parents are but does not grant her the right to travel. I hope the Minister will be able to intercede on the family's behalf.

Deputy Charles Flanagan: I thank both Deputy Collins and Deputy Ó Snodaigh for raising this important and, indeed, personal and very sensitive issue. I hope that we will be in a position, if not this evening, but certainly at some early date, to chart a future path which will allow for advice towards a resolution. It would not be appropriate for me at this stage to share personal details in relation to any person or their family, but I would, for the purposes of this debate be pleased to address the broader issues raised by the Deputies and, specifically, the entitlement to Irish citizenship of children born to same-sex couples.

The Passport Act 2008 that has been referred to sets out the legislative framework within which the passport service processes all applications for passports. Pursuant to section 7 of that Act, a passport cannot be issued unless the Minister is satisfied the person is an Irish citizen and satisfied as to the identity of the person. Citizenship, as Deputies will be aware, is governed by the Irish Nationality and Citizenship Act 1956, as amended, which is under the responsibility of the Minister for Justice and Equality. Legislative measures in regard to citizenship do not fall within the remit of the Department of Foreign Affairs and Trade. They do fall within the remit of the passport service. In this context, the service has received a number of applications from same-sex married couples seeking to obtain Irish passports for their children born abroad and, in giving due consideration to these applications, has raised a number of issues in regard to both citizenship and guardianship with the relevant Departments and the Office of the Attorney General.

I would like to set out the current legislation. Section 7 of the Irish Nationality and Citizenship Act 1956, as amended, addresses citizenship by descent and provides that a person is an Irish citizen from birth if at the time of his or her birth either parent was an Irish citizen, although an additional requirement of registration is imposed in respect of children born outside the State of Ireland where the Irish citizen parent was also born outside the island of Ireland. The passport service has received legal advice that states that, for the purposes of the 1956 Act, a parent is understood to mean either the mother or father of the child. For the purposes of Irish law, the mother of a child is the person who gives birth to the child or a female adopter of the

child. In general, the father is the person identified as the genetic father of the child or a male adopter.

The passport service has received passport applications for children born outside the State to same-sex couples where one member of the couple is an Irish citizen and the other is not. The question arises as to whether, under the current legislation, where the Irish citizen is neither the birth mother nor the genetic father, or alternatively the male or female adopter of the child, the child qualifies for Irish citizenship by descent. The Department of Foreign Affairs and Trade sought advice on its understanding of the 1956 Act from the Office of the Attorney General, which recommended that confirmation should be sought from the Department of Justice and Equality. The passport service has sought clarification on this and other related matters, including the effect on citizenship of Parts 2 and 3 of the Children and Family Relationships Act 2015, once commenced in May 2020, from the Department of Justice and Equality. The Department of Foreign Affairs and Trade will issue passports in accordance with any legislative changes on commencement.

While I will not get into the detail of any personal case in the House, I will bring today's debate to the attention of all appropriate colleagues in my Department and the Departments of Foreign Affairs and Trade and Health, which may also have certain responsibilities in this regard. I assure the Deputies that my officials are working closely with officials from other relevant Departments to ensure this matter is clarified as soon as possible.

Deputy Joan Collins: I thank the Minister for his reply. He clarified and outlined the circumstances of the legislative process for a mother or father in recognising citizenship. In the case in question, Sofia was born in Spain. Kashka is Polish and Sinéad, who lives in Bangor Road, Crumlin, is Irish. That information is in the media so my mentioning it is not a problem. Their daughter is stateless. They are in Poland now and need to bring their daughter home. They have the birth certificate. Their two names are on it. They have gone through the process of applying for citizenship in Spain but that is going nowhere fast. They need some sort of temporary travel documents to get themselves and Sofia home as soon as possible so they can start the application process here. It is to go through next May. The child is stateless and has no photographic identity and Sinéad and Kashka are very concerned about her. I realise that the Minister cannot talk about specifics. Could he at least give an indication? I wrote to both the Minister and the Minister for Health about this issue on 30 October.

Deputy Aengus Ó Snodaigh: I welcome what the Minister said at the outset, that is, that he will consider this matter and hopefully find a pathway to allow Sofia to travel to Ireland. I genuinely hope he will be able to find that pathway as quickly as possible. It is specifically a matter of allowing passports for genuine cases in these instances until we have legislation in place. It is not a catch-all. As always in law, there will be exceptions or complications, and this is one of them. It falls between the cracks. I genuinely believe the Minister will examine this.

As the Minister stated, what is at issue is the interpretation of the Irish Nationality and Citizenship Act 1956. That was produced in a different era, an era long before some of the reproductive methods in question were in place and when we, as a society, had not addressed the issue of same-sex couples. It is not just same-sex couples who are caught in these circumstances; heterosexual families can also get captured. I have outlined why we have addressed this and the relevance of next May. I thank the Minister. I hope the matter will be addressed over the weekend and that there will be a positive outcome.

Deputy Charles Flanagan: I do not doubt any of the issues raised by Deputies Joan Collins and Ó Snodaigh. There are a number of issues involved that require some clarification. I would be happy to engage by way of written correspondence with the Deputies as soon as it is practicable after this debate. As they have acknowledged, there are a number of Departments involved. The Department of Foreign Affairs and Trade has overall responsibility for issuing passports. It is very much aware of recent legislative changes. My Department and the Department of Health are also involved. The Department of Employment Affairs and Social protection may well have an impact in this area also in terms of civil registrations. I assure the Deputies in any event that there are discussions between ministerial colleagues and civil society groups and families in regard to rights that follow from the commencement of Parts 2 and 3 of the Children and Family Relationships Act 2015 as an effort to address some of the outstanding issues that may well incorporate the issue raised. I ask the Deputies to allow me to go back to my Department and to consult colleagues in the Departments of Foreign Affairs and Trade, Health and Employment Affairs and Social Protection with the view to seeking an early resolution in respect of the matter raised.

Report on the Arts: Motion

Deputy Niamh Smyth: I move:

That Dáil Éireann shall take note of the Report of the Joint Committee on Culture, Heritage and the Gaeltacht entitled ‘The Arts Matter’, copies of which were laid before Dáil Éireann on 15th May, 2019.

As a member of the Joint Committee on Culture, Heritage and the Gaeltacht, I welcome this opportunity to open the debate on this important report. The joint committee has a wide remit, as is evident in its title. However, the one key term missing here is “the arts”. For fear of giving the impression that the arts may not matter, the committee took it upon itself, as part of its 2018 work programme, to explain the theme “The Arts Matter”. Over the course of nine meetings, the committee accommodated 30 witnesses, representing Departments, public and private arts agencies and individual artists over a period of approximately one year. The witnesses were chosen to represent those areas in particular where the arts continue to be most vulnerable. These pertain to governance, the Irish language, education, music, society, and festivals. The witnesses, along with our society at large, were all in agreement that the arts do matter. That being the case, the committee wished to ask why the arts are still marginalised and often shoved to the side and away from the mainstream when it comes to funding, educational programming, workers’ rights and wider society in general. The committee learned a lot from its deliberations and from the presentations it received.

During its deliberations we learned how strong people are who are working in the arts, how difficult it can be to set up and access funding programmes and how the arts are still inaccessible to large tranches of society in Ireland today.

I will now focus on the committee’s engagement on the topic. The report we are discussing reflects the several themes that were discussed as part of the committee’s deliberations. They are governance and funding in the arts, the arts and education, music in Ireland today, the arts for all, national arts festivals, the Creative Ireland programme and why the arts matter, with

general observations.

In its first meeting on the topic in January of last year, the committee heard from representatives from the Arts Council as well as the Department of Culture, Heritage and the Gaeltacht on governance and funding in the arts. The committee discussed what could be done to strengthen the protections that exist for those working in the arts sector. The second meeting took place in February 2018 and discussed the theme of arts in education and subsequent meetings between February and the end of 2018 looked at the following topics: music, arts in society, arts festivals and the Government's culture-based Creative Ireland programme. Four Irish organisations were also invited to present to the committee. The strong message that we heard was that an *Ghaeilge* should be central, but it was disappointing to hear that is not the case currently. In the final meeting of the committee on The Arts Matter, which took place in January of this year, members heard from contemporary artists, to discuss more generally why the arts really matter. The witnesses expressed the view that while the cultural and artistic legacy of Ireland continues to be present, it is threatened by a world that has become more virtual and artificial.

All these meetings allowed the Oireachtas joint committee to gain a deeper and broader understanding of the Irish arts sector and the challenges it faces. Discussions with representatives of Departments and agencies involved in administering and funding the arts highlighted a need for a deeper commitment at policy level to longitudinal research in arts participation. That would provide real evidential data on the impact of the creative arts for all of society in building informed strategies to meet the needs of a changing society.

The report's recommendations reflect the main priorities of those from the arts sector who presented to the committee. These concerned, in the main, stronger commitment at Government policy level, greater arts officer presence across more local and regional areas, ample funding for arts funding bodies, initiatives in education, access to the arts for all, stronger arts strategies for the Irish language, arts education from an early age and improved tax incentives to assist those wishing to contribute to the arts. A total of 28 recommendations are set out in this report, under the following headings: Government policy, education, an *Ghaeilge*, young people, society, access and arts festivals.

I wish to place on record some of the report's key findings, which reflect the main priorities of those from the arts sector who presented to the committee. There is a need for commitment at Government policy level to longitudinal research in arts participation, which would provide real evidential data on the impact of the creative arts for all of society in building informed strategies to meet the needs of a changing society. Another recommendation is to restore staff and funding to arts funding bodies, representative organisations and individual artists to 2008 and 2009 levels. A further recommendation is to provide a new examination of models of intervention throughout the primary and secondary school cycles that will result in stronger art literacy in order that the contribution of artists to education can be further understood, valued and acknowledged. Immediate steps should be taken by the Department of Education and Skills to establish a more structured approach to music education partnerships guaranteeing that all children receive a quality music education regardless of their socioeconomic background or the part of the country in which they grow up.

The three key Departments with responsibility for the arts, namely, the Departments of the Taoiseach; Culture, Heritage and the Gaeltacht; and Education and Skills, should adopt a joined-up approach in the development and implementation of the Arts Council's Creative Youth plan by setting up a development unit, or support for a similar resource. That is some-

thing I feel very strongly about, especially given my previous work as an arts education officer for Cavan and Monaghan Education and Training Board. The first time two Departments worked collaboratively was when the high-level implementation group was first brought together and the arts in education document was produced. That was the Minister's Department and the Department of Education and Skills. We see the fruits of that now in what is being delivered through the Creative Schools projects right across the country. Artists are going into schools and working along with art teachers instead of the old way of expecting primary and secondary school teachers to be masters of all trades and to deliver everything. That was not possible and it was not fair to the students or the professional artists who are eager for work. I have always made the point that there is a wonderful opportunity for them, in particular through the education and training board sector. There are 16 education and training boards across the country and they provide a useful vehicle for the Department to engage with and continue to roll out creative skills.

Another recommendation related to the need to encourage much stronger co-ordination of arts festivals to facilitate programming and administration in enticing authors to attend and in recruiting volunteers. I thank all those who appeared before the committee for the valuable insights it gained over the course of its engagement on this topic. The report highlights the issues raised and the recommendations contained in it set out how these might be addressed. I look forward to hearing the Minister's reply.

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I welcome the opportunity to speak to the motion and I thank Deputy Niamh Smyth for introducing it. We are all in agreement that arts and culture are of the utmost importance in the life and well-being of our country. I share the objectives of the Oireachtas joint committee to develop the arts and cultural sectors. Arts can be a great driver of social change and they confer great benefits on society in general. I also welcome The Arts Matter report. I thank the Chairman and members of the committee for their work in completing a comprehensive narrative based on the wide-ranging consultations they undertook over a 13-month period. I note the report is informed by the committee's consultation with witnesses called before the committee from Departments, State agencies, arts and culture organisations, Irish language organisations and educational institutions.

The Government's recognition of the importance of the arts is underlined by its commitment to double spending on culture, heritage and the Gaeltacht by 2025. Total funding in the Department for the arts and culture sector will increase by 2% in 2020 from €189 million to almost €193 million. Primary support for the arts is delivered through the Arts Council and it has increased in recent years. Arts Council funding will reach €80 million in 2020. That is an increase of €5 million or 6.7% over 2019. Capital funding of €1.2 billion has been earmarked for culture, heritage and the Irish language in accordance with my Department's ten-year capital plan, under Project Ireland 2040. That includes investment of €460 million in Ireland's national cultural institutions and €65 million for cultural and creativity infrastructure nationwide. Work on the National Library of Ireland and the National Archives has already commenced, while other projects are progressing, including a new €4.7 million capital investment scheme for arts and culture centres across the country. The cumulative impact of the funding increases is testament to the commitment to double Government spending in the arts and culture sector.

I will address the 28 recommendations in the committee's report under the seven broad headings, which are Government policy, education, the Irish language, young people, society, access and arts festivals. Deputy Niamh Smyth referred to the first recommendation which

relates to Government policy. It recommends undertaking “longitudinal research in arts participation, which would provide real evidential data on the impact of the creative arts for all of society in building informed strategies to meet the needs of a changing society.” A working group has been established to research and commission a report on the establishment of a strategy for the Irish language and the arts. Members of the group include representatives from my Department, Údarás na Gaeltachta, Ealaín na Gaeltachta, TG4, the Arts Council and Foras na Gaeilge.

Recommendations 2, 6, 7 and 8 relate to areas dealt with by my colleague, the Minister for Education and Skills, whose officials are engaging with my Department on a range of programmes, including the Creative Ireland programme and the decade of centenaries. I understand from the Minister that the school curriculum at primary and post-primary levels provides a broad, balanced approach to the range of subjects for study. His Department also supports activity outside of schools which includes the non-mainstream music education bursary and significant funding for Music Generation.

Recommendation 2 seeks greater representation of local authorities and local authority arts officers in the 16 education and training boards, ETBs. As part of the Creative Ireland programme, I understand the Department of Education and Skills is piloting local creative youth partnerships in three ETBs, Kerry, Laois-Offaly and Limerick-Clare. The purpose of these partnerships is to establish networks which enable information sharing and collaboration between local creative youth service providers, including local authorities, to bring about better use of existing resources, practices and initiatives in each ETB area.

The Creative Ireland programme has provided a platform for the Department of Education and Skills to further embrace arts and creativity and provide new ways for children and young people to engage with and be exposed to the arts. The programme builds on the 2015 arts in education charter which was agreed between my Department and the Department of Education and Skills. My Department has regular contact with the local authorities and arts officers through a number of channels which are critical to the Creative Ireland programme.

Recommendations 3 and 4 seek the restoration of staff and funding to arts funding bodies, representative organisations and individual artists to 2008 or 2009 levels. I remind the House that the 2009 allocation to the Arts Council was €73.3 million. This compares with the 2019 allocation of €75 million and the 2020 allocation of €80 million. Since the Taoiseach’s commitment to double funding of the arts was announced in December 2017, the annual allocation to the Arts Council has been increasing, which can be regarded as significant progress.

The Creative Ireland programme works with many Departments and agencies to ensure that culture and creativity are embedded right across Government policy and given due prominence, thus addressing recommendation 9’s call for cross-Government actions. Using these three guiding principles of creativity, collaboration and transformation, the programme works across Government and has made significant progress.

With regard to education, recommendations 10, 11, 12 and 13 relate to music education. I understand from the Minister for Education and Skills that, as part of the school curriculum at primary and post-primary levels, students are offered a range of artistic subjects to study, including music. At post-primary school, students are being given more freedom in their areas of study through the new framework for the junior cycle. New specifications in music and visual art are designed to provide more freedom in letting students study what they find interesting. The transition year programme, which is taken by more than 70% of all students, offers broad

scope for students to explore and engage in arts-related areas, especially music. At leaving certificate level, students can continue to study music and art.

Programmes of professional development for teachers help to develop and augment their capacity to deliver the arts in classrooms. This includes teacher-artist partnership in primary schools, where artists visit schools to work with teachers who they have collaborated with during the summer break. At post-primary level, the arts in junior cycle initiative offers professional development for teachers to support innovative and imaginative ways of engaging with the arts and learning in the junior cycle curriculum. The Department of Education and Skills provides significant funding for Music Generation. As part of the Creative Ireland programme and the national expansion of the Music Generation programme, five new music education partnerships have been established this year in Kerry, Kildare, Longford and Tipperary. In addition, the non-mainstream music education bursary is supported by the Department of Education and Skills for organisations to apply for annually. The bursary has been valued at €100,000 for the past three years.

With regard to the Irish language, tuigim go maith tábhacht na n-ealaíon mar a bhaineann siad leis an nGaeilge. Recommendations 15, 16, 17 and 18 relate to the funding of artists and arts organisation working in the Irish language. Ealaín na Gaeltachta Teoranta is an organisation set up specifically to fund the Irish language arts. It is jointly funded by Údarás na Gaeltachta, the Arts Council and the Department to promote the development of the contemporary and the traditional arts in the Gaeltacht. It provides services and grant schemes to support the development of arts organisations and individual artists as well as initiatives that help build the capacity of and infrastructure for the arts in the Gaeltacht.

Recommendations 14, 19 and 20 relate to policies in the Gaeltacht division of my Department. An example is the grant of up to €325,000 made by my Department to Ealaín na Gaeltachta to promote a programme of activities in the traditional arts for young people throughout the Gaeltacht over the 2018 to 2019 school year, which addresses a commitment in the five-year action plan for the Irish language. A working group has been established to research and commission a report on the establishment of a strategy for the Irish language and the arts. Members of the group include representatives from the Department, Údarás na Gaeltachta, Ealaín na Gaeltachta, TG4, An Comhairle Ealaíon and Foras na Gaeilge. This research will cover a comprehensive audit of what is currently available, the various organisations operating in this domain and the access and services available to the public. It will cover an audit of the education, training and development opportunities from preschool to postgraduate and adult education available in the sector; an assessment of the economic, social and linguistic impact of the arts on the Irish language; and an audit of the current and potential sources of funding available for the language-based arts.

With regard to young people, recommendations 21 and 22 speak to the need for a separate production award and a commissioning process for artists with disabilities to create new work for children, young people and their families as well as implementation of the Arts Council's Creative Youth plan. I note Deputy Smyth's acknowledgement of the merits of Creative Youth. Through this plan, which falls under the Creative Ireland programme, my Department is working in partnership with the Departments of Education and Skills and Children and Youth Affairs and the Arts Council. A working group meets regularly to ensure the commitments under Creative Youth are being met. This is a very successful forum and it is also used to discuss new and innovative approaches to the arts, creativity and education. In addition, an expert advisory council, chaired by Dr. Ciarán Benson, has been established to guide the direction of Creative

Youth and to assist the working group.

Other programmes being delivered as part of Creative Ireland are designed to help further develop arts and culture in schools. This is being done through the Creative Schools and creative clusters programmes.

As recommendation 23 relates to tax legislation, it is a matter for the Minister for Finance. The recommendation suggests amending tax legislation to allow tax benefits for private citizens who donate to arts organisations. Under Section 1003 of the Taxes Consolidation Act 1997, private citizens can obtain tax relief for donations to the State of items of significant cultural value. In 2018, cultural works to the value of €4.4 million were donated to the State. The implementation of this tax incentive is under review. Other existing tax reliefs for arts, culture and film include the artists tax exemption scheme under section 195 of the Taxes Consolidation Act 1997. Film tax relief is available under section 481 of the Act and the Film Regulations 2019.

With regard to access, recommendations 25 and 26 relate to universal access. The arts are for everyone, so must therefore be accessible to everyone. The Arts Council funds organisations such as Disability Ireland to provide audio description and captioning for the hard of hearing. It also funds touring and usually provides the resources for the receiving house to hire in audio description and caption technical material as well as for any conversion required.

Recommendation 26 calls for a network of performance venues where audio description, captioning and Irish Sign Language could be made available, as well as suggesting parameters for the provision of access at commercial arts venues. I fully intend to continue to work with all stakeholders on this to make accessibility to the arts a cornerstone of departmental and Government policy.

Recommendations 27 and 28 relate to new work and stronger co-ordination of arts festivals. The council has a significant festival support programme for more than 150 festivals every year. It also allocates funding to larger festivals such as the Dublin Theatre Festival, the Babaro Children's Festival, the Kilkenny Arts Festival and Waterford's Spraoi. I would like to acknowledge the other governmental stakeholders, such as the Department of Transport, Tourism and Sport and Fáilte Ireland, in regard to the promotion of festivals around the country.

I hope I have given a flavour of the significant advances made by the Government in the arts in the five months since the publication of the Oireachtas committee report and, indeed, before that, and I very much welcome all the work that has gone into this report. The Government will continue with significant investment across the arts, delivering ongoing dividends in the industry in line with the overall objectives of Project Ireland 2040. I again thank the committee members for their work in preparing this report. The arts can play a critical role in enriching the lives of all the people of Ireland and it is right that we, as Oireachtas Members, reflect on how best we can support those opportunities for engagement with the arts for the greatest number of people.

Deputy Aengus Ó Snodaigh: I thank the committee and the committee secretariat. I had the luxury of being Chairman of the committee when it finalised the report, although I was not Chairman when it was initiated. It is a very valuable piece of work, in particular in regard to the insights we gained from the artists and those who came before the committee, and their wisdom is reflected in the report, which should be read as widely as possible. Some of the recommendations are quite simple and can be delivered straightaway, as some have been, which I welcome

and acknowledge.

I will focus on two areas, namely, recommendations 3 and 4. Recommendation 3 states: “Restore staff and funding to arts funding bodies, representative organisations, and individual artists to 2008-09 levels.” Although the Minister said there has been some move towards that restoration, Arts Council funding in 2008 was €82 million and this year it is predicted to be €80 million, and while that is welcome, it does not take account of the significant inflation involved. We are going in the right direction but, at this stage, we need to be back to those levels because, if we are not, it is very difficult for those funding bodies to deliver fully on their programmes or to imagine other programmes beyond them. This, therefore, is a key desire.

Recommendation 4 states: “Release a substantial part of funding promised by the Taoiseach in December 2017 when he reaffirmed Government’s commitment to double funding of the arts over a seven year period.” We have not seen that to date but the seven years is not yet up and, hopefully, he will not be Taoiseach for the full seven years, although we will let the electorate decide that.

One of the key findings of a recent survey by the Theatre Forum was that more than one third of artists and creative practitioners earn less than the minimum wage, with 74% of performing artists and creative practitioners relying on other sources of income. If that is the case, it means we do not get the full benefit of their art production because they are distracted by having to work to earn a living and pay the bills. Four fifths of the jobs they are working in are precarious jobs, which means it is difficult for them to plan and means they are always trying to figure out where the next buck is coming from. It also means they will always have difficulty trying to pay mortgages or to have the sources of income required for them to have a home and have the stability that is needed to be an artist in Ireland.

There was much discussion at the Theatre Forum about how artists are placed front and centre at many State events and tourism initiatives. That is pageantry without substance if we chronically under-fund artists and do not create the opportunities for them to have a secure income. There is a long way for us to go before artists in this country would answer, “Yes”, if asked whether they have a secure and stable income. This is one of the areas we should concentrate on.

The Taoiseach committed to doubling arts funding over seven years and, three budgets later, the funding has increased, which I accept. However, funding for culture has increased by 17.5%, which is a long way from an increase of 100%. We have a long way to go and, hopefully, that can be acted on and delivered within the timeframe he set out, or earlier, if possible.

As the Minister will be aware, we are near to bringing arts funding bodies to pre-recession levels yet we continue to lag behind our European counterparts. Even in regard to the target for the Arts Council, we spend much less on culture in GDP terms than many of our European counterparts. While the Government remains consistent in stating this is the commitment, that does not fully ring true when one examines the budget and how it is delivering for artists who are struggling to make ends meet. Without painters, dancers, performers, musicians, writers and storytellers, there will not be film, television and radio, although perhaps after yesterday, we will have difficulty with RTÉ anyway. There will be nothing on the stage, nothing on the walls, nothing to attract the many people who come to Ireland to enjoy our culture and nothing for communities to enjoy. There is no culture without the people and, specifically, no culture without artists. That is why the arts matter, a point I will return to shortly.

I referred to film and actors. Based on our committee deliberations, I know a report was produced on the film industry which made several recommendations, some of which have never been acted upon, although that was not the fault of the Minister in one instance. Nonetheless, we need sustainable jobs and we need to invest in the future. We need to encourage, nurture and promote art for the benefit of all whether in film or theatre. Artists need to benefit in order that society, our young and not so young, as well as tourists, can benefit. The Exchequer benefits from all of that, as was clearly outlined to us in Theo Dorgan's piece, which I hope to quote before I conclude.

While I am not an artist or musician, I come from a family of musicians, artists, sculptors and publishers, so I have an understanding of those who have suffered the consequences of not having a wage. Friends of the family struggled with their art and struggled with having no funds for periods of time, so I know how difficult that is. I also know of artists and musicians who left our shores and we did not benefit from their imagination for many years until they returned, although in some cases they did not return.

We therefore need to try to ensure we encourage, or find mechanisms to encourage, those who can earn a living in order that we value the arts. In so doing, we will say the arts matter. If the arts matter, we must ensure we protect them.

I return to what Theo Dorgan said in the report:

The artist is one of us, and their gift to us is the generous and necessary work they do in cultivating, exploring and demonstrating, day in and day out, the unstoppable and exhilarating power of the imagination. It is very much to our shame that while we profit from the work of these artists, while we glory in the achievements, we are content that most of them are ruthlessly condemned to live in poverty.

He went on to explain in a very enlightening way why the Department should respect and value artists a lot more. He offers us one example:

The Indecon Report of 2011 tells us that, of the €68 million assigned to the Council [that is, the Arts Council] that year, €47 million came straight back into State coffers as PAYE, PRSI and VAT from organisations kept in being with the aid of Council grants. The difference is €21 million, so that represents the State's investment [in the Arts Council]. The return to the economy directly attributable to the work done by those organisations, and the artists whose work they showcased and employed, was €148 million. So you give me 11 and I give you back 148 — tell me, in those circumstances, would you offer me double the next year, treble [the income]?

There is a lot more in the report. I ask the Minister with responsibility for arts, culture, heritage, the Gaeltacht and whatever else you are having for dinner to ensure that the Minister for Finance in particular and those in Revenue look at the Indecon report and this report to see the value of investment in artists and the arts. They get such investment back on the double, treble and more. Any investment in the arts pays us dividends, as a society at least, but if we are to bring it down to the brass tacks of finances, it also gives a much larger return than the return on many of our other investments.

Deputy Richard Boyd Barrett: The title of the report of the Oireachtas Joint Committee on Culture, Heritage and the Gaeltacht is The Arts Matter. Politicians are quick to say they believe the arts matter whenever the issue is discussed, but when one actually looks at the level of

support the State gives to the arts, it suggests that in reality the political system does not think the arts matter. It does not treat the arts as if they matter because the level of funding for the arts is abysmal. There is no gainsaying this. The level of funding in this country is well below the EU average which, as people in this Chamber well know, is 0.6% of GDP. In Ireland we are talking about 0.1%. Considering how this country's international reputation at every level rests to a very significant extent on our achievements in the arts - poetry, literature, theatre, music and other art forms - this is a pretty serious indictment of the political system's lack of commitment to the arts. As Deputy Ó Snodaigh intimated, and as others here have said before, people are very quick to jump into photographs with artists, to turn up for the big press occasions and to go to the high-profile events. The level of support given to the arts, however, is abysmal and the plight of the artist is even more abysmal.

The levels of poverty and precariousness and just the struggle to survive among artists in this country are extreme and do not suggest that the political system really thinks artists and people who work in the arts, including theatre, literature and film, the latter of which I will discuss and have discussed on many occasions, matter when it comes down to brass tacks. The facts in this regard are stark and were fairly well aired by Theatre Forum earlier this year in the Dáil arising out of its survey, which told us that 80% of people surveyed exist in a precarious state of employment. They do not know from job to job whether they will have another job. How do they get mortgages? How can they even be sure they will be able to pay their rent? What about healthcare? Of course, artists are not the only people in precarious situations; precarity in employment and lack of income and employment security are huge problems in many sectors. However, the arts is very much one such sector, in which 80% of workers, according to the people surveyed, were in a precarious position. Of PAYE jobs in the performing arts, 60% pay less than average industrial earnings, with the survey finding that the annual wage of two thirds of those surveyed was under €23,000. The artists, the people who work in the creative field and in the arts generally, are treated very badly.

Just before I got up to speak, I was scribbling down something that was sent to me. It gives an indication of one particular sector. I have made the point again and again that the Government needs to take quality employment seriously. I have argued that film funding, which amounts to €80 million per year, and more if Screen Ireland is added in terms of tax relief, be conditional on giving real rights to workers in the film industry. I will quote to the House three clauses from a contract for a film crew member working on a film being made now, a film that will almost certainly be in receipt of section 481 tax relief. This is what film crew have to put up with:

Clause 10: Your working hours will vary depending upon the needs of the film as the company shall notify you from time to time. On each date on which you are required to provide your services you agree to make yourself available to service the requirements of a normal ten-hour shooting day plus one hour for lunch or a continuous 9.5-hour day with half an hour for lunch.

This is in black and white and a clear breach of the Organisation of Working Time Act.

Clause 5: The provisions of the Unfair Dismissals Act 1977-2007 shall not apply to any termination of your engagement, consisting only of completion of specified purpose.

One cannot do this. One cannot tell people that the Unfair Dismissals Act does not apply to them, but this is what one must sign up to to get a job in the Irish film industry. These films are

funded by and completely dependent on public money. The contract goes on:

You will have no entitlement to be paid your salary during a period of your absence due to illness except at the discretion of the company.

This is another clear breach of workers' entitlements. These are the sorts of contracts flying around in the Irish film industry.

What are we going to do about this? I have been talking about this for two years. The people who publicly came out and blew the whistle on this have been effectively blacklisted out of the industry. That is what is going on and nobody seems to want to do anything about it. It is a case of not upsetting the apple cart. It must stop. That is the film industry but, of course, that is just one example of the general contempt with which artists, performers and other people working in the arts are treated. What can we do about that? In the area of film, let us do what the Indecon report of 1995 said we should do. If we are going to put a lot of public money into the Irish film industry, it should be directed towards creating companies of scale. State aid to the arts is absolutely necessary and should, in my opinion, double or significantly increase. EU directives on state aid to the arts clearly state that it must be given on condition of creating viable companies of scale with a permanent pool of employees.

Lest anyone tries to throw dust in people's eyes, I want to stress that, when I or workers in the arts refer to a permanent pool of employees, that does not mean that those workers expect to be employed 365 days a year even if there are no films being made or work to be done. That is not what they are saying and it is not what I am saying. Those workers should not be in a completely precarious position from project to project.

Everybody accepts that there is a project-to-project character to work in film and many of the arts, but workers should carry over some rights and entitlements from one production to another, particularly when the employers are often the same from one project to another and are in receipt of large amounts of public money. People who work in the arts should not be in a constantly precarious position when the same producers are getting money again and again but setting up different designated activity companies, DACs, to shield themselves from any responsibility for their employees. That is what is going on. Producers are telling the Government to give them money on which they can claim tax relief because they will create quality employment. When workers ask those producers for their rights, they are told that the producer is not the employer and that the worker is employed by a DAC that does not exist any more because it finished when the previous film did. That is unacceptable.

I have focused on the issues in the film industry that reflect a more general problem. We could employ thousands of artists, performers, writers and so on, give them a living income that would let them pursue their creative endeavours and ask them in exchange to work in education, mental health and schools for a number of days or weeks per year. That way the artists would give something back to and enrich different sectors of our society in the areas of mental health, community projects in disadvantaged areas and so on. In exchange, those artists would get a living income so they would have some sort of security of employment that would allow them to pursue their arts and live a proper existence where they could pay their rent and maybe get a mortgage and so on. The artists are the people who produce the arts sector. If we do not treat them properly, we are not acting on the principle that the arts matter.

I appeal to the Minister to recognise those points and honour the artists, creative workers

and people who work in those industries, including shooting crews. They deserve respect and proper treatment.

Deputy James Lawless: I am grateful for the opportunity to share a few brief thoughts on this report in this debate. I welcome the report and it is important that focus is placed on the arts and the supports that are required in terms of funding, Government structures and regulatory frameworks and how they all might work together to support everything from our small town or village festivals right through to professional artists and all the difficulties that attend to their livelihoods. It is a positive report but we must go further and begin to implement some of the actions outlined within. We must come up with further avenues for funding and support.

I have a particular hat on because I have an interest in research policy in general. The following applies to the arts as much as it does to history, economics, geography and other humanities subjects. There can sometimes be a tendency for Government policy to support research that is perceived as being commercially valuable or useful and that has a particular outcome in product development, be that a new widget, microchip or a new business process approach. It is every bit as valuable, if not more, that we invest in discovery research and frontier activities, be that a new artistic endeavour, historical manuscript or piece of archaeology, because those not only broaden the depth of human knowledge but also broaden the mind. A student who has successfully mastered the creative arts and humanities, who can take a history problem and apply creative thinking to why one particular side won or lost a battle, go far beyond the dates, facts and figures involved, and apply a creative analysis, is well equipped to deal with the challenges that life might throw at him or her in any walk of life.

I recently attended my local university, the National University of Ireland, Maynooth. The president of that college, Dr. Philip Nolan, told me about a student who had pursued a PhD in graphic novels. I remember the *Batman* and *Arkham Asylum* graphic novels although I have not read them for some time. This particular student conducted a PhD study in the art of the graphic novel. That might have appeared to be an arcane cul-de-sac of knowledge to pursue, but that student was headhunted by Google or another of the large tech firms because the labyrinthine processes that could navigate and describe a graphic novel turned out to be very apt for navigating the World Wide Web and the processes, loops and nodes that intersect within the Internet. That is proof that we find productivity and output, including commercial output, in unexpected quarters and it is always worthwhile advancing the font of human knowledge, advancing ourselves, and improving our educational attainment and the discovery process. It is worth funding that. It is worth funding for its own sake. There is a commercial metric that is sometimes applied too bluntly by the Government, but even using that base criteria, we can find that unexpected outcomes flow.

I am delighted to see some recommendations in the report around small town and village festivals. We all know the main streets in our local towns and villages, particularly our provincial main streets, are suffering. There are empty buildings in many cases and there are issues such as rates, rents and parking. There is a litany of issues that I will not go into now. Our main streets must be rediscovered and become new places that we imagine in different ways. Retail Ireland has coined the expression “weekend experience, midweek convenience”. That means that our old main streets may not be the shopping centres and malls of the past or the places to get a pound of sausages or a pint of milk on a Wednesday evening, but they may instead become places where people congregate on a Saturday afternoon, a Friday night or a Sunday morning. They could be a part of a coffee shop culture whereby people gather to exchange views and debate in a public square. That is hugely supported by the development of festivals.

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I was privileged to be involved as chair of the Midsummer Arts Festival when I was the mayor of Naas. That was an example of how we helped the rejuvenation of Naas town by putting a festival on the map one weekend a year. Many other groups put festivals on in the same town at different points on the calendar. We have seen success in the likes of Kilkenny, Galway and Dún Laoghaire. Many towns have taken this and run with it and have far more esteemed festival traditions than we have at present in Naas. We aspire to that because it is a formula for rejuvenation and reinventing our town centres as cultural hubs and as places to meet, gather, congregate and engage in cultural activities. I am delighted to see that specifically called out in the report as a recommended outcome.

The Minister and committee should examine how the funding models flow for those festivals because it is not always transparent or apparent how to attain funding and get support for those festivals. There are multiple potential different agencies to approach, including the Arts Council and others, but it is not always clear, coherent or consistent how one particular festival can draw down funding when another cannot.

I commend the report and my colleague, Deputy Niamh Smyth, who has been to the fore in working on the committee, the report and the recommendations therein. I also commend the rest of the committee and I wish the report and its implementation every success. I look forward to further consideration and, I hope, when the Midsummer Arts Festival is convened next summer, we will have funding to draw down and supports in place as a result of this.

Deputy Fiona O'Loughlin: I am glad to have the opportunity to speak on this report. I commend the Chair, the committee and my colleague, Deputy Niamh Smyth, who is passionate about the arts and the benefits they can bring to society and all of our communities. There were nine meetings of the committee and it came to the conclusion that arts do matter. They matter hugely in our society and country. If the Government agrees that this is the case, the Minister should commit to the implementation of the 28 excellent recommendations contained in this report.

The arts enrich all of our lives. People sometimes tend to think of the arts in the abstract, but they should not do so. Creativity is fundamental to every one of us and to every part of the lives of every human being. The capacity to imagine, to create and to explore must not be taken away from us. We often see this incredible capacity in children and young people. If it is unfortunately not nurtured, it has no place to strive and thrive. We must ensure it is nurtured.

The arts enable and empower us to reach our human potential. Those who do not have an opportunity to explore the creative parts of themselves are losing out on a big part of life. I put it to those who might not accept this argument that they cannot ignore the economic benefits of the arts. The 2009 Indecon report, which assessed the economic impact of the arts in Ireland, absolutely showed what those benefits are. While the arts are valued, there has been a lack of commitment and investment. If the State is to realise fully the potential of the arts, its statements of support for the arts must be backed up by the investment of public moneys. It was interesting to read in *The Arts Matter* that when Ms Garry Hynes spoke at the committee about the need for the Government to increase arts funding across the board - we all acknowledge that the arts are underfunded - she put it slightly differently by suggesting that the Government should "be funding its own citizens to make art in its own country". I could not agree more that arts funding is needed in communities and societies. It is shocking that a third of all performers earn less than the minimum wage and that 74% of our actors rely on other income.

The forms of creativity and culture that are contained within the arts are absolutely essential to our well-being. They give us different ways of looking at the world. They have a huge societal value. Deputy Lawless spoke about our festivals, which are of great importance for our communities, for our sense of place and for our sense of pride. Equally, I am thinking about the tools that our theatre groups and our youth theatre groups, including Kildare Youth Theatre, which is based in Newbridge, and Griese Theatre Company, which is based in Ballitore, have given to young people as they try to navigate their lives. They explore many topical societal issues, for example relating to sexuality, direct provision, immigration and domestic violence, through the form of theatre. I have been to see a number of productions in which young people have collaborated and improvised to use the arts as a means of discussing what is important to them, including the societal issues they want and need to be concerned about. The arts are helping to give them a voice and helping them to work through some of their thoughts and concerns. The opportunity to do this on a European and global level, as Peter Hussey has done with Kildare Youth Theatre in a number of European countries, is invaluable for our young people as they seek to navigate the challenges of the world.

The arts are an incredible gift that we love to talk about outside of our country. The legacy of our poets and writers is absolutely incredible. As we acknowledge and embrace the achievements of such people, it is equally important to help our struggling artists, poets and writers. The arts officers in our local authorities are really good and have a great knowledge of their subject. Every arts officer I know is passionate about the arts. In particular, I would like to mention Lucina Russell and her predecessor, Mary Lenihan. To be honest, they have worked miracles with the small amount of funding that has been made available to them. They have helped us to embrace our culture and to create our own culture. Culture changes all of the time.

I would like to speak about amateur dramatics. Given that 74% of our actors need to have another form of income, it is no wonder that amateur drama is thriving and doing so well. It gives opportunities to people who might love to pursue a career in the acting world, but absolutely cannot do so. The amateur drama scene is absolutely incredible. I was reared on it as a child. The week-long drama festival was the highlight in Rathangan every year. It gave us an opportunity to listen and learn about other places and other worlds. For one week a year, we had a chance to see how people in other parts of Ireland and other parts of the world were living, thinking and exploring the world.

When my father was 27, he wrote a play called “Straws in the Wind”, which was performed at the time. He loved the world of the arts and the world of poetry. He also applied his creative arts to politics. Fifty years after his play was performed, a friend of mine, Mario Corrigan, who is the local archivist in Kildare County Council, contacted me to say he had found newspaper clippings about it. As my father had just passed away a few months earlier, we felt that putting on his play once again would be a wonderful way of celebrating his passion for the arts. A local drama group put on the play for three nights in our newly refurbished community centre, which my father had played a fundamental role in organising and getting the funds for. One of my brothers played one of the parts in the sell-out production, which raised funds for the community centre. As my father’s child, I watched and listened along with my family and indeed the community. It was an incredible way of looking back on how our society had been 50 years previously. Basically, the play is about the impact of industrialisation on a rural agricultural village. There were many lessons we could learn from the play about the continuing impact of such changes on small towns like Rathangan. The play was also about the impact of change on a family. It was a wonderful way of viewing my father’s thoughts on fatherhood because there

is a strong father in the play. I was a baby when the play was written and my sister was a month old. Another nine children came after that. It was amazing for all 11 of us, and for my mother, to see my father's thoughts on stage. I mention all of this as an illustration of the importance of the arts at an amateur level. The arts can give us a snapshot of a moment in time and an opportunity to record what is happening within a community, a family and a society. Being able to look back on the production of this play has given us a deep insight into ourselves and those who have gone before us.

The recommendations in this report are excellent. Fundamentally, the arts matter hugely. The arts are about ourselves, promoting ourselves and listening to ourselves. I hope the Minister takes very seriously the recommendations that have been made by the committee. An opportunity was missed in last month's budget. We absolutely need to take these recommendations on board.

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): I will try to deal with some of the contributions of Deputies. I appreciate the comments they have made. I am delighted to inform Deputy Smyth that the Department of Culture, Heritage and the Gaeltacht, through Creative Ireland and the Department's Gaeltacht division, is supporting Ealaíon na Gaeltachta and the Irish-language arts policy. That kicked off last week with advertisements on TG4. Submissions are currently being sought from the public.

The Deputy also mentioned the Creative Schools project, an initiative of Creative Ireland. As she is aware, it is administered through the Arts Council and is going from strength to strength. Some 300 schools across Ireland are involved, with a particular focus on DEIS and special schools. As she stated, we are building on the work of others, including ETBs and the arts in education charter.

The Deputy also referred to restoring Arts Council funding to 2009 levels. I am glad to confirm that Arts Council funding in 2020 will exceed 2009 levels. Deputy Ó Snodaigh referred to the 2008 or 2009 funding figure of €81.6 million.

Deputy Aengus Ó Snodaigh: I referred to the 2009 figure.

Deputy Josepha Madigan: It is important to note that figure included €6 million of capital funding, whereas the funding figure for the Arts Council for 2020 does not. There is a distinction to be drawn in that regard. One must bear in mind the €1.2 billion in capital investment. I acknowledge Deputy Ó Snodaigh's comments regarding the doubling of arts funding. The Taoiseach made that commitment and I want to see it happen. I see no reason for it not to happen. As Deputies are aware, there have been difficult circumstances this year due to Brexit but we are on the right trajectory, as I stated yesterday in the House.

Deputy Ó Snodaigh asked about the theatre sector report, as did Deputy Boyd Barrett. I do not wish to engage in a statistical debate on the matter but according to CSO statistics earnings in the sector grew by 3.3% in 2018, in line with the increase in earnings across the country.

Deputy Boyd Barrett raised issues relating to employment conditions in the audiovisual industry. He also raised them yesterday in the House. I know it is an issue about which he is passionate. He will be aware that it is currently the subject of an examination by the Workplace Relations Commission. That is not to say there are no challenges which we must consider. Certainly, the situation he described seems to be exploitative and should be reported to Screen Ireland because, if his information is correct, it is not something which could be stood over. I

do not wish to comment on any particular film producers but the situation he described should not happen. If it has happened, we should not stand for it and it should be sorted out.

I point out to Deputy Lawless, who has left the Chamber, that the Arts Council has a memorandum of understanding with the Irish Research Council to allow it to work with PhD graduates. I agree there is a dearth of research in the broad culture policy arena. The Creative Ireland programme supports a new online digital repository for arts in education research which was launched in October of this year.

Deputy Lawless referred to festival funding. As Deputies are aware, there are three primary sources for such funding, namely, Fáilte Ireland, the Arts Council and my Department.

It was lovely to hear about Deputy O'Loughlin's father and large family all being involved in amateur dramatics. As she may know, for the first time in more than a decade, in this year's budget the Department was able to provide funding of €250,000 to amateur dramatic and musical societies. That is an acknowledgement of the work they do. I agree with the Deputy that they are embedded in each community, locality and constituency. Many people go on from them to further their acting and musical career and we wish to support such societies. I was very pleased to be able to do so.

As Deputies are aware, artists' salaries are not the responsibility of the Department. On this matter there is a principle of keeping an arm's length between the Department and the Arts Council, which independently decides what each artist and arts organisation receives. Ultimately, it is for the Arts Council to stipulate whether there is a minimum wage.

I appreciate Deputy O'Loughlin's comments on Youth Theatre Ireland. Peter Hussey, to whom she referred, has much experience in that area. Creative Ireland also supported the national amateur drama final in County Clare, which was a great success.

I thank the committee for producing this very comprehensive report. I very much welcome its publication. It is an important contribution to policy deliberation in the sector. As I stated, the arts should be imbued in the fabric of Irish society. All present are *ad idem* in that regard. On my travels, I have seen how culture and creativity in the arts play such an integral and pivotal part in other countries. This country punches far above its weight in terms of talent and output. We are doing all we can in this area. I reassure every Deputy who is present or went to the trouble of compiling or working on the report that I am endeavouring to do everything I can to support the arts. I enjoy the arts and they are of great importance for the individual and collective well-being of all members of society, no matter what their age. I will try to continue to support the arts as best I can. We have made significant progress through the years, particularly through the Creative Ireland programme, the increases in Arts Council funding and the matters to which I made reference yesterday in the House such as the per cent for art scheme which had not been looked at since 1997 and goes a long way towards helping artists and also, it is hoped, the aesthetic around various institutions, buildings and possibly street art which will enhance everybody's lives from visual and economic perspectives.

The Minister for Employment Affairs and Social Protection, Deputy Regina Doherty, and I worked on the social welfare scheme which has been extended. It is a positive signal to artists. Deputy Boyd Barrett and others have made reference in the House to the precarious position in which artists may find themselves. We must try to support them in any way we can. I am endeavouring to do so and to find mechanisms whereby I can support them. Obviously, we do

not want artists to have to avail of social welfare but, if they do they will, at least, be provided with a year in which they will not be subject to normal labour activation measures and will be able to work on their art. That is important.

I will continue to reflect on the recommendations made in this significant report. A large amount of work has gone into it. It was helpful for various agencies, Departments and witnesses to appear before the committee and have their say. Many of them are well known in the industry and it is important that they are listened to because they are at the coalface of this matter and know the challenges intimately. I thank Deputies for their contributions.

Deputy Niamh Smyth: I thank the Minister for her reflections on the contributions in respect of the report. Music Generation is one of the projects that have been happening across the country for several years. Cavan and Monaghan ETB was one of the more recent ETBs to successfully come on board in that regard. Having spoken to some of the project workers there, I know that it is slow to get off the ground but they are engaging with Comhaltas Ceoltóirí Éireann. It is important to highlight the wonderful work done by Comhaltas Ceoltóirí Éireann across the island through engaging with small communities. It does phenomenal work with children through lessons and Fleadh Cheoil na hÉireann which takes place in various towns and brings an economic benefit to those localities and counties. Music Generation offers the opportunity to have such an impact. I know the Minister cannot fund every organisation but it is welcome to see it being pursued by Cavan and Monaghan ETB.

The Minister will remember that at a recent meeting of the committee I asked whether she would engage with the local arts and education partnership of Cavan and Monaghan ETB. It was disappointed not to receive funding from the Department in the most recent round of funding for arts education. I told the Minister that I knew that from a professional point of view it is doing wonderful work. I asked the Minister to engage with Joanne Brennan, its arts education officer. If such engagement with the partnership is not under way, I ask that the Minister or her officials facilitate it because the partnership could learn from the reason for its application being unsuccessful, while the Department could learn from what the partnership has been doing extremely well for many years.

It would be remiss of me not to mention Dr. Katie Sweeney. She has done terrific work on the arts in education portal which has brought arts education providers, schools, creative artists and teachers in contact with each other and opened up a world for people who may have previously been working in silos. That is a welcome development in the delivery of arts education in our schools and communities. It gives arts professionals the opportunity to link with schools and ETBs, thereby providing an opportunity for employment for them. As many of my colleagues mentioned, the hard fact is that professional artists will most likely have spent four years doing a degree in NCAD, Crawford College of Art and Design, Limerick School of Art and Design or any of the wonderful colleges that provide fantastic third level education but when they come out, what is there for them?

A number of months ago we attended the Theatre Forum presentation. The artists came from many different disciplines, including visual, performing and literary arts. They told harrowing stories about what life is like. They are essentially self-employed. They face challenges such as lack of childcare and lack of healthcare. They face an abysmal future in respect of owning a home. That particularly affects artists working in urban areas, such as Dublin, Limerick and Cork. Living in those cities is essential for them to deliver their work. It is a catch-22 and a vicious circle. They must be in urban areas to be able to engage with other practitioners and

galleries and to participate in the arts community. It is isolating for artists living in more rural parts, such as Cavan and Monaghan, where they are limiting their opportunities. The artists who want to progress and develop their careers must live in urban areas. However, increasingly because of high rents and their inability to get a mortgage, they are being pushed further out, thereby limiting their work opportunities.

Regarding their working conditions, childcare is a major problem for them as is healthcare. On professional development and making progress, sustainable employment is not always possible for them. If they are thinking about having a family and owning their own home, some artists leave this particular career path because they can never go to the bank and provide the financial backup that banks now require for people to get mortgages. We need to take a hard look at how to address that issue.

Many of my colleagues mentioned the amateur arts. The Arts Council has a specific role to ensure professional artists get professional support and access to developing their careers. For those in amateur arts, there are many drama festivals, as Deputy O'Loughlin mentioned. I am thinking of Shercock Drama Festival, Maudabawn Drama Festival and Cavan Drama Festival. They can be the glue that holds communities together. In some cases, people might not otherwise know their own neighbours. Rural communities are good at having drama groups.

They have interactions with other community groups across the country through one-act drama festivals. They go on a circuit and provide great entertainment for many audiences. We need to see if there is a way of nurturing and supporting that. Communities get together to provide meals and accommodation for them when they arrive. The Arts Council cannot support that because it has a different remit. We should also look at how we can support amateur drama groups and others in visual arts, which are very important.

Yesterday representatives of Free Market appeared before the Joint Committee on Rural and Community Development to talk about their research. Departmental officials will be well aware of the research Free Market has done in small towns. They are the small-town champions and they have done magnificent research. Voluntary groups such as Castleblaney regeneration committee are doing phenomenal work to try to ensure they are at the forefront grasping any funding opportunity that the Department presents. Free Market is a group of artists, curators, architects and planners who come from a creative background and who have much to offer with their knowledge and experience. They presented hard evidence at yesterday's committee meeting and I commend them on their work.

While the Joint Committee on Rural and Community Development is a different committee, it is amazing how they all link into each other. The message we got from the Free Market representatives is that various Departments are trying to do the same thing. We need a research-based team such as Free Market in some third level institution. Community groups in towns and villages could go to such a research-based organisation and identify the size of the town and the challenges they face. The organisation could then show them a model that is working well and how to apply for funding. Volunteers would not become exhausted reinventing the wheel trying to do the same thing other community groups might have been doing for the past ten years. The representatives of Free Market presented hard research. They gave the example of single Scottish town partnerships that work well. A conversation is taking place between the Departments with responsibility for housing, local government, arts and transport. This Parliament needs to move towards the model Free Market presented to the joint committee. I encourage the Minister to sit down with the representatives of Free Market. I compliment Ms Miriam

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Delaney and Mr. Laurence Lord who presented at yesterday's committee meeting. They have done invaluable research from which we can all learn.

I thank my colleagues on the committee who sat through numerous meetings. I particularly thank those who made presentations to the committee. All the artists, performers and literary artists who came in appreciated the opportunity to be heard and to have their concerns and challenges raised. It is now incumbent on us to do something about them and to implement the recommendations in the report. I am sure I speak for all my colleagues in saying the Minister will have cross-party support in delivering as many of these recommendations as we can. I thank the Minister and my colleagues for attending today.

Question put and agreed to.

The Dáil adjourned at 5.50 p.m. until 2 p.m. on Tuesday, 12 November 2019.