

DÁIL ÉIREANN

AN COMHCHOISTE UM IOMPAR, TURASÓIREACHT AGUS SPÓRT

JOINT COMMITTEE ON TRANSPORT, TOURISM AND SPORT

Dé Céadaoin, 20 Meitheamh 2018

Wednesday, 20 June 2018

Tháinig an Comhchoiste le chéile ag 1.30 p.m.

The Joint Committee met at 1.30 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Mick Barry,	John O'Mahony,
Imelda Munster,	Ned O'Sullivan.
Catherine Murphy,	
Kevin O'Keeffe,	
Noel Rock,	
Robert Troy.	

I láthair / In attendance: Deputies Colm Brophy and John Lahart and Senators John Dolan, Kevin Humphreys and Kieran O'Donnell.

Teachta / Deputy Fergus O'Dowd sa Chathaoir / in the Chair.

Business of Joint Committee

Chairman: No apologies have been received. Before we begin I remind members to turn off their mobile phones completely or put them on airplane mode. I now propose to go into private session. Is that agreed? Agreed.

The joint committee went into private session at 1.34 p.m. and resumed in public session at 1.36 p.m.

Chairman: I thank Ms Jo Curran of the committee secretariat for all the work she does for us. She is kept busy.

Before we commence the main business I wish to turn to correspondence. The first is No. 2018/291, a letter from the Minister, Deputy Ross, updating the committee on issues raised at a meeting of 7 February regarding accessibility to public transport for people with disabilities. It is proposed to consider this item of correspondence in the context of the committee's report on accessibility of public transport for people with disabilities. Is that agreed? Agreed.

No. 2018/292 is an email dated 13 June from Griffith Avenue and District Residents Association regarding the NTA placing CPOs on residents' gardens and requesting the support of the committee as per the committee's recent engagement re MetroLink. We will include the topic in today's meeting if that is okay.

No. 2018/293 is a letter from Deputy Troy requesting the CEO of the Irish Continental Group, Mr. Eamonn Rothwell, and the MD of Irish Ferries, Mr. Andrew Sheen, to come before the committee to discuss the recent cancellation of Irish Ferries services this summer. We will discuss that when Deputy Troy arrives. He is not present at the moment.

Impact of Core Bus Corridor Proposals: Discussion

Chairman: I welcome witnesses who are here to discuss the impact of the core bus corridor proposals. That is the main purpose of the first part of our meeting. In particular, I welcome Ms Anne Graham, CEO of the National Transport Authority, NTA, and Mr. Hugh Creegan, deputy CEO of the NTA. They are both very welcome.

By virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of the evidence they are to give to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable.

I remind members of the long-standing parliamentary practice to the effect that they should

not comment on, criticise or make charges against a person outside the Houses, or an official, either by name or in such a way as to make him or her identifiable.

I invite Ms Graham to make her opening statement. It is up to her but if she is happy to do so I ask her to comment on the situation in regard to Na Fianna. As agreed, members may also ask questions about the other issue that has been raised, namely, MetroLink.

Ms Anne Graham: If it is okay I might ask my colleague to deal with MetroLink.

Chairman: I thank Ms Graham.

Ms Anne Graham: I thank members for the invitation to attend. I am joined by my colleague, Hugh Creegan, deputy CEO of the NTA. I understand that the committee wishes to focus on the core bus corridor project, which is part of the BusConnects Dublin programme. We will address some MetroLink issues after that.

In terms of background, the overall framework for transport provision to meet the needs of the region over the next two decades is set out in the Greater Dublin Area Transport Strategy 2016-2035, which was approved by the Minister for Transport, Tourism and Sport in 2016. The strategy outlines the various networks to be developed, namely, heavy rail, light rail, bus, road, cycling and pedestrian networks, together with supporting measures including park and ride provision, information provision, integration and demand management measures. The core bus corridor project is outlined in that strategy. A welcome uplift in public transport funding has been provided in the recently published National Development Plan 2018-2027, which has allocated €8.6 billion towards sustainable transport measures. The three largest projects are MetroLink, the DART expansion programme and BusConnects, all of which will serve the Dublin region. However, resolving the transport deficiencies caused by the unavailability of investment over several years will take time, as major infrastructure projects take a number of years to deliver.

BusConnects Dublin, which was launched last year, aims to overhaul the current bus system in the Dublin region by building a network of new bus corridors on the busiest bus routes to make bus journeys faster, predictable and reliable; completely redesigning the network of bus routes to provide a more efficient network, connecting more places and carrying more passengers; developing a state-of-the-art ticketing system using credit and debit cards or mobile phones to link with payment accounts and making payment much more convenient; implementing a cashless payment system to accelerate passenger boarding times; revamping the fare system to provide a simpler fare structure, allowing seamless movement between different transport services without financial penalty; implementing a new bus livery, providing a modern look and feel to the new bus system; providing a number of supporting park and ride facilities; rolling out new bus stops with better signage and information and increasing the provision of additional bus shelters; and transitioning to a new bus fleet using low-emission vehicle technologies. BusConnects Dublin is a programme of integrated actions that, together, will deliver a bus system that will enable more people to travel by bus than ever before and allow bus commuting to become a viable and attractive choice for employees, students, shoppers and visitors.

From the perspective of public transport, specifically bus travel, congestion is a major problem. On the busiest bus routes, bus lanes are only in place for less than one third of the corridor. This means that, for most of the journey, buses compete for space with general traffic and so are also affected by the increasing levels of congestion. As a result, whereas bus journeys should be fast, reliable and predictable, the increasing impact of congestion is undermining that

objective. Additional buses are being added to the system simply to compensate for delays in journey times.

The bus system in Dublin is important because it is the main component of the solution to address our current congestion problem and to meet our future transport needs. As Dublin is a low-density city, there are few areas with the size and concentration of population for rail-based public transport. This means that, for most corridors, bus travel represents the optimum form of public transport.

Dublin Bus carried 137 million passengers in 2017. When combined with Bus Éireann commuter services in the Dublin region, 143 million passengers were carried on State-operated bus services in the Dublin area, compared with 38 million on Luas and 33 million on the DART and rail commuter services. The bus system accounts for over 67% of public transport passenger journeys in the greater Dublin area. That means that, while the bus carries two thirds of all public transport passengers, the Luas carries 18% and DART and commuter rail services deliver the remaining 15%. Due to its regional coverage and its flexibility, the bus system is, and will continue to be, the main form of public transport for most people across the Dublin region. It is vital that we invest now in ensuring that it can properly perform this role into the future.

Overall, the core bus corridor project envisages the provision of approximately 230 km of bus lanes on 16 of the busiest bus corridors in Dublin, which we refer to as the radial core bus corridors. These are shown in the appendix to my statement. In addition to these, there is a plan for enhancement of the orbital bus corridors as part of BusConnects. These proposals will form a separate plan, which will be advanced at a future date.

Our objective is to provide a continuous bus lane in each direction while maintaining two general traffic lanes. In addition, we want to provide a dedicated cycle track on each side of the road, providing safe cycling facilities segregated from other vehicular traffic. The standard layout also includes footpaths for pedestrians and supporting elements such as pedestrian crossings at all key road crossing points and bus shelters for waiting passengers. However, this standard layout is difficult to achieve in practice and there are a number of challenges that we face in trying to implement it. Difficult decisions will have to be made and some locations will require more changes than others. I will set out some of the likely impacts that will arise from the core bus corridor project.

By creating more priority for buses and cycling, there will be changes to how traffic currently moves around the streets. Some roads may become one-way, new bus-only sections will be introduced and, in some places, general traffic will have to take new routes in and out of the city. Since there is so little unused space along these busy roads, it will often not be possible to accommodate the bus lanes and cycle lanes in the width available. In order to achieve the required space, it will be necessary in places to acquire parts of front gardens and land in front of commercial properties. This would require rebuilding garden walls a short distance back from the existing road boundary.

Given that the roads we are widening travel through residential and business areas, there will be a need to reduce the amount of on-street parking to accommodate the new layout. As with the need to remove some parts of front gardens and footpaths, there will be also be a need to remove trees along some of the corridors. The public consultation stage later this year will have details and locations of the trees and lands impacted once the initial designs are developed.

Every feasible option will be examined to minimise the disruption to people, their proper-

ties and the wider local community. Where there is simply no viable alternative and we have to remove trees, portions of gardens or parking, we will ensure appropriate mitigation measures are put in place, wherever practicable.

Turning to the benefits of the core bus corridor project, specifically improving cycling infrastructure, the major bus corridors across Dublin city are also the main cycling arteries. The widening of these roads for bus lanes provides the opportunity to transform the cycling infrastructure at the same time. On each of the 16 radial core bus corridors, our objective is to provide high-quality cycling facilities segregated from the bus lanes and general traffic lanes as far as is feasible. We calculate that more than 200 km of cycle tracks or lanes will either be built or current lanes will be improved upon. A better cycling network is good for all transport users. It avoids cyclists sharing bus lanes with buses and will remove many of the conflicts between buses and cyclists. This initiative is the foundation of the overall cycle network that has been planned for the greater Dublin area.

The core bus corridor project will deliver on improving journey times and creating certainty and confidence in the bus system. Improving current journey times on the key bus corridors will make bus travel more attractive, improve the efficiency of the services and give people the reliability of knowing exactly how long their journeys will take. This may sound overly simplistic, but the concept of saving time and giving people back time from their commutes to the rest of their lives is a quality of life issue. However, in the absence of BusConnects, journey times will continue to get worse and commuters will spend more time travelling to and from work each day.

Tackling the challenges of climate change is a national priority and BusConnects will contribute significantly to that objective. Moving people from cars onto sustainable transport is a key component in reducing CO2 emissions in addition to addressing congestion and its adverse environmental impacts. In addition to these beneficial impacts, we want to transition to a fleet of low-emission vehicles, further enhancing the environmental contribution of the bus system.

A well-functioning public transport system is a basic requirement for any metropolitan area that aspires to providing plenty of good employment opportunities for its people into the future. With bus, rail and trams, Dublin boasts great services, but if we are to maintain our capacity as a city, region and capital and to continue attracting the best jobs and employers, we will have to do more, and urgently. By improving the overall public transport offering, these proposals will make commutes shorter and more reliable, and will therefore make Dublin a more attractive location for employers. It will also make it easier for people to get out and enjoy the city and all it has to offer, which is good news for businesses in the city centre and beyond.

The BusConnects report that we have published on the proposed bus corridors is intended to update people on the current status of the project and what is emerging in terms of the choices that need to be made to deliver a radically transformed bus system. It allows discussion to take place on those choices and what we want to achieve with the overall bus system in Dublin.

As to the individual corridors, work is continuing on assessing options and developing proposals, which will be published for public consultation in September or October of this year. Accordingly, more detailed information on the individual corridors will not be available until that later consultation stage. When those details are developed, we will be contacting the relevant property holders - in advance of that public consultation - to provide them with the proposed details pertaining to their properties. The *busconnects.ie* website will provide regular updates as the project develops. It also provides the relevant contact details for anyone who

wants to contact the authority with his or her views on our proposals.

Mr. Creegan will now make a statement.

Chairman: Before he does, I will ask a question. What is the timeline after the September-October discussions? Will there be applications for planning permission? Can some be fast-tracked if there is no opposition? How can the work be accelerated?

Mr. Hugh Creegan: Two items on MetroLink got some coverage today. One was about the possible change to a single bore tunnel layout as opposed to a twin tube tunnel and the other relates to Na Fianna grounds on Mobhi Road.

We identified in the MetroLink public consultation document that one of the options still being assessed by us is the use of one large or single bore tunnel instead of two smaller tunnels. Since that publication work has continued on assessing that proposal and at this stage it is likely but not certain that we will propose a single bore tunnel. A final decision has not yet been made on this issue. However, if we do adopt a single bore tunnel arrangement it would then be the position that we would no longer need to operate a tunnel boring site at the Griffith Park station location, which is on Mobhi Road. The construction works for a station at this site would still be required but would be of a shorter duration than would have been required to service the tunnel boring operations.

In regard to Na Fianna grounds, since the conclusion of the public consultation last month we have been assessing the submissions received and the various issues raised in them. We have met with Na Fianna and Home Farm which is adjacent to it and with adjacent schools and have discussed various issues and options with all of them. We undertook to assess and evaluate these options further and then to engage in further dialogue with those organisations when we had advanced that work. That assessment work is ongoing. No decision on any option at this location has yet been made. We intend to hold further meetings with Na Fianna, Home Farm and adjacent schools when we have sufficient work completed to engage productively. We then expect to publish any revisions to the MetroLink proposal in August.

Chairman: “Likely but not certain”, what are the barriers to that decision? Are they engineering or administrative? An engineering decision has been made already, in theory.

Mr. Hugh Creegan: We are still assessing its impact. We need to evaluate the impacts. Every choice has a series of consequences both for cost and in other areas and we have not completed a full assessment of it. At the moment we are veering towards a single bore tunnel solution but have not fully concluded what is an engineering assessment.

Chairman: The fact that the National Transport Authority, NTA, is saying that gives hope to the communities who came in here and on whose behalf members spoke. People believe they were misled. I am not suggesting that the NTA misled anybody.

Mr. Hugh Creegan: We are not misleading anyone, we are trying to be as clear as-----

Chairman: I accept that, I just want to absolutely specify that.

Mr. Hugh Creegan: I appreciate that. At this stage we think it is likely but we have not concluded our assessment and it would, therefore, be wrong of us to say we are certain but it is likely that it will be a single bore tunnel solution.

Chairman: I welcome that.

Ms Anne Graham: The Chairman asked about the timeline. If we start the consultation in October of this year we would expect that because we have to seek planning permission from An Bord Pleanála there would be a decision in 2020 and we would commence the construction in 2021 on the core bus corridor project.

Chairman: That is the €2 billion project in total.

Ms Anne Graham: Yes.

Chairman: I want to open this debate to members. This is an example of the committee system working. We had a full hearing at the request of members with the NTA and residents from Na Fianna, and the schools. There was a visit to the site and while the outcome is not certain it is likely. That is very positive and it is great to see a public body like the NTA listening to and doing the best it can to facilitate people, notwithstanding whatever criticisms there may be.

Deputy Noel Rock: I want to open my remarks in a similar vein. This exchange is a good example of the committee system working. The hearings we had with the various stakeholders before the committee were constructive and useful. It was beneficial for the committee to go out and see the projects that we discuss here in an abstract way and the impact they would have on a community or an area. I hope that if other projects come before us, no matter where they are in the city or the country, we display that same spirit of going out to the world and meeting with the people because that was very good. I also praise the NTA for listening to the points raised and taking on board the concerns of those various stakeholders. While the media reports that the solution is being considered, much as Mr. Creegan has said today, it is good that if anybody, the Oireachtas or a semi-State body is listening to, and taking on board the concerns of the citizenry. There have been 8,000 submissions to the public consultation. That is an unprecedented number. I am genuinely delighted that those voices are being heard.

My two questions follow from the Chairman's question on that. The witnesses might come back to them at the end. What are the cost implications of single bore rather than a twin bore solution? What are the timing implications of any change? My understanding is that it would make no change unless it expedites the work and potentially makes it a bit cheaper. Do the witnesses have any informed views on that now?

I have been fulsome in my praise of the agency. It does great work and faces great challenges. It is filled with good people and will have a good legacy. The plan for 230 km of dedicated cycle lanes and 16 dedicated bus corridors has transformative potential for the city, which, as we all know because we have to come to work here in Dublin 2, at times crawls to a halt. That will be exacerbated in the coming years. Getting ahead of this and having a plan is important, trying to change people's mentalities in terms of how bus networks and transport systems work is important. The BusConnects plan is important but there are some difficulties in its presentation for the consultation. Why was such a specific number of affected households outlined in the phase 1 release? If we do not know the identities of the households how do we know an exact number of them? This is one of the issues that give rise to great concern among the public. There are 16 routes and along them there are more than 20,000 abodes yet a very specific number of 1,300 has been identified. How was that arrived at? Would it not have been prudent to either reach out to those households and tell them they may be affected if the plans stand unaltered or to wait and release phase 1 and the upcoming phase 2 of the consultation in September-October together? If the NTA is going to alert property owners, for example, on one or both sides of the Swords Road, which is a very narrow road in Santry, that they may need to sell parts of their land would it not have been better to release both phases of the plan together or

engage with those people at this phase 1 stage rather than leave them in the limbo they inhabit now? It looks as if phase 1 was released for public relations purposes and that the real meat of the consultation is coming in September or October. I wonder should both releases not have been released together to avoid this negative external attention we now face, which in many ways is very reminiscent of what happened with Na Fianna. Similarly, as regards the consultation, I know the Chairman got an invitation relatively close-----

Chairman: Mr. Creegan rang me the day before but I was unable to meet him. He offered to meet me, as Chairman, but unfortunately I could not meet him. I acknowledge that.

Deputy Noel Rock: Nevertheless, I would have thought that committee members, given the number of media invited, would have had a place at that as well.

Chairman: Would it be helpful if we agreed that the committee be invited if similar launches are being organised in the future? I do not think that is unreasonable.

Deputy Noel Rock: That would be appropriate and members would appreciate it. Many of us attended the departmental consultation in the Mansion House in recent weeks. Many of us have an interest in these matters outside of the hearings. That would be useful and beneficial to everybody, including the NTA. I would be curious to hear the thoughts of the witness on that as well.

There are other aspects of the public consultation, as it stands, that are practical, outside of the garden aspect. On a more practical question, is there a decided sequence for the roll-out of the routes? There are 16 potential routes. Will they all be constructed at the same time? Will they be done one at a time? If they are to be done one at the same time, which order will they be in? This is proposed for the September to October consultation, I imagine, but how will existing Dublin Bus services interact with the proposal? Will there be a crossover period? I presume the routes will be amended and the amendment of the routes is within the NTA's remit. How is that process likely to be handled?

Some media were reporting the BusConnects route or map, as a Dublin Bus service expansion, as though it was a given that Dublin Bus would be operating it. I presume it would have to go to tender but perhaps the witnesses can comment on whether or not that is the case?

Much was done in Dublin city that was planned around the initial three BRT mooted routes, which were proposed in 2014 or 2015. Much development work has taken place on lands, based on the Swords to city centre stretch, in particular. Many planning permissions have been given, etc., based on the strength of the BRT running along there. The current BRT plan proposes an amendment to that. What was the rationale for that deviation, given that was a long-standing, publicly flagged route in the previous round of consultation? I would be curious to hear the witnesses' thoughts on that.

We face big challenges. I realise the garden aspect is the one that has caught much of the public's imagination but anything that gives public transport in Dublin a real shake-up is to be welcomed cautiously, if we can iron out the rough edges in it. Hopefully, our two esteemed members of the NTA can give some answers to those questions.

Chairman: The member would like replies to his questions now, if that is okay. We will then take questions from other members. Will the witnesses answer those questions now? We will move on to Deputies Troy, O'Keeffe, Munster, Barry and Catherine Murphy, Senator Humphreys and Deputy Lahart. That is the normal process.

Ms Anne Graham: We made a decision to separate the consultation and to start with a discussion document to show what the whole proposal was. We were concerned that we would get tied up in what were the difficulties associated with delivery of the bus corridor project rather than focusing on both sides of the project which include the benefits and what can be achieved in the overall network of bus corridors in the city region and not to focus on the difficult side, which was the gardens. That is why the decision was made. Learning a little from the Metro-Link consultation, it was about giving the public some information about how this project was developing, rather than focusing on the details. It was very deliberate on our part to break it up into two phases - a discussion document initially and then detailed consultation to take place in September and October.

On the amendment of routes, this bus corridor proposal is required no matter what routes operate on it. These are the core bus corridors. One is always going to have a very frequent service level on these corridors no matter who is operating the services.

We have decided not to just provide BRT on three routes. This proposal will bring a BRT level of service to all of the 16 corridors. Much of the work that we had done on BRT fed into the core bus corridor project and we are proposing a BRT level of service in respect of frequencies on these core corridors.

When we talk about a service expansion, we are talking about the bus service for Dublin expanding. The decisions as to who will be operating these services post-2019 is still a decision for the authority to make. We will alert members that we will be consulting on a new Dublin Bus network, as in a network of bus services. This consultation will be commencing later next month.

Chairman: On that point, will that be post-the new bus routes or will it happen anyway?

Ms Anne Graham: This is proceeding anyway. It is about how we can improve the bus network that is currently in operation. It is part of the BusConnects programme of works, but is a separate consultation and relates to the network. The current discussion document relates to the infrastructure that supports that network.

Chairman: We will take Deputy Troy's questions now.

Deputy Robert Troy: I welcome the witnesses. On the metro north, or metro as it is called now, when will the detailed design be published or will we get changes to the draft design on a drip-by-drip basis? Deputy Rock was critical that we were not invited to the launch of BusConnects. Some of us, however, had access to it and were well able to talk about it on "Morning Ireland" before it was published. Without being invited, the information is being fed to some people. We are happy with the potential changes which will be made to Mobhi Road and Na Fianna. This morning on "Morning Ireland" it was implied that this new solution would be cheaper and faster but that was not confirmed here today. What I and the 8,000 people who made submissions to the consultation process would like to know is when will that consultation process be completed? When will we know the definitive route of the metro? Everybody along that route who has made submissions is entitled to have the information at the same time. That must be clear. That is not to take away from the great work that was done by the submissions and by Na Fianna which came into the committee.

We are here today to talk about BusConnects. I gave it a guarded or a cautious welcome when it was announced and I stand by that. My main concern is the time required to implement

it, and that concern was not being allayed in any way today. It is important that we plan and think in the long term. The lack of investment over the past decade is having a huge impact on our public transport now.

What level of engagement and consultation has the NTA had with the respective local authorities on the route selection to date? As I said already, according to the NTA this will be a ten-year process.

Does the NTA have plans to increase the capacity on Dublin Bus? I can share examples with the witnesses about the capacity on the current quality bus corridors. People are standing at the bus stop at 7.45 a.m. and have to watch seven or eight buses pass by before a bus stops to allow people to embark. Are there plans to increase the bus capacity in the here and now?

Will any elements of the project be front-loaded such as, for example, the park-and-ride facilities? Could these facilities be provided in a 12 or 18-month period, as this would encourage people to get out of their cars and migrate to buses? The NTA alludes to the need to reduce emissions, which is a necessity. When will we cease to purchase diesel buses? When can we expect the new energy-efficient hybrid buses? I visited Edinburgh a few weeks ago and took at least ten buses during the weekend and every bus displayed a big banner stating we were on one of the new hybrid buses. When can we expect to see that in Dublin?

I welcome the commitment to the cycling network but the track record in this area is poor. The budget for cycling infrastructure in the past two years has decreased significantly from €18 million per annum to €8 million, at a time when we have seen an increase of 46% in the number of commuters opting to cycle to work. Funding was withdrawn from Dublin City Council for the Liffey cycle route, which turned out to be a fiasco. Dublin City Council was at fault for not being able to select a route. Can we have confidence that a similar situation will not arise in BusConnects? It is hoped that An Bord Pleanála will reach its decision by 2020 and construction will commence in 2021. Are they arbitrary deadlines or must these deadlines be met? Can the NTA be a little more specific in order that it can be held to account if the project is not delivered within this timeframe? This project must be delivered and those involved must be working to a timeframe because the 136 million passengers who rely on buses require a better service.

BusConnects will have a negative effect, which will have a bearing on households and on those who regularly use the routes at present. Will the NTA outline exactly what level of consultation it will have with the people affected? Will there be town hall meetings along the routes that will be affected? Will everybody be notified of a potential risk of impact on their dwelling house? I agree with Deputy Rock that the method chosen created unnecessary anxiety among people. Without knowing the selected routes, it is hard to see how one could quantify the 1,300 houses that will be affected. Unnecessary anxiety also was whipped up by some politicians who may have tried to get electoral gain from this issue.

A change in the livery has been raised. What is the rationale for that? At present Dublin Bus is achieving a 96% satisfaction rate, which is phenomenal. The brand value of Dublin Bus is €28 million. What is the merit of doing away with that? New bus corridors have been selected but now it is proposed to hold consultations on a network. Will there be potential for a reduction of services in particular areas? A potential reduction could have an impact on parents with young children with buggies or people with restricted mobility. What will be done to ensure it will have no impact on the most vulnerable people who currently use the network?

The Secretary General of the Department of Public Expenditure and Reform shared some

nuggets in the past number of days, advocating that we should curtail the use of the free travel pass to the hours after the commuter rush hour. I would like to hear the opinion of the witnesses on that.

Chairman: Will the witnesses answer the questions?

Deputy Robert Troy: Chairman, in an effort to be helpful, if it is appropriate to call one or two more members, I am happy to wait.

Chairman: Deputy Troy was anxious to get the answers earlier. I am happy to allow any speaker.

Deputy Kevin O’Keeffe: I welcome Ms Anne Graham, the chief executive of the NTA. The Transport Strategy for the Greater Dublin Area, 2016-2035 must be welcomed and hopefully it will not end up being an aspiration. I would like my city colleagues to be happy about issues arising from the route of MetroLink, such as the impact on the sports ground of Na Fianna and other disturbances. However, we on the committee also must consider the cost implications. The proposed single bore is almost the equivalent of a triple bore because to get the two bores into a single bore will require a bigger bore diameter. That would drive up costs enormously in extraction and back-fill. Has the costing been done for this proposal before we jump into taking this solution? I am not an expert on engineering but I can do the maths. Going deeper into the ground might be good for the residents on the route because it might lower noise pollution and keep it underground. My concern is about astronomical costs that will delay further projects down the line, as the money will be used on MetroLink, which is an essential requirement for the transport network in Dublin. Dublin Airport, one of the busiest airports in Europe has no connection to the city centre.

The proposed routes for BusConnects brings to mind a scene from “The Field”. We never thought that green areas would become so important to urban people but it is the case. The tremendous motorways built in the north east by the second last Government have proven invaluable in terms of interconnectivity between urban areas. At that time, in fairness to Departments and Transport Infrastructure Ireland, they communicated with the landowners and the various property holders to find solutions. I hope the same process will happen. Obviously one will need to compensate property owners for taking green areas. My major concern is that on-street parking for housing terraces will go. On page 21 of the BusConnects report, which sets out the “plans to mitigate those challenges” with regard to parking spaces, it states “we will seek to provide, where feasible, alternative parking close by”. How close by is “close by”? How can private residents be compensated for the loss of parking spaces? While we welcome the overall thrust of this plan, we do not want it to be pursued at the expense of other projects. We do not want taxpayers to be inconvenienced or to have to contend with additional charges. Perhaps this money could be spent elsewhere to improve the national transport network outside Dublin.

Chairman: It would be an appalling vista to restrict the times at which people on free travel can travel. It would discriminate against older or sick people who have hospital appointments to keep or family arrangements to attend. Many people on free travel who are well may be helping others, for example by babysitting, and are working in the economy. My personal opinion is that it would be an appalling vista to exclude those people from the privilege of free travel on the basis of their age or medical status. We should never make second-class citizens of those who built the economy during their working lives.

Deputy Kevin O’Keeffe: If solutions are not agreed with residents, businesses and com-

munities, will the NTA go down the compulsory purchase order route? Will that instrument be used if the need arises?

Chairman: I ask the witnesses to answer the questions that have been asked.

Deputy Imelda Munster: Can I come in at this point?

Chairman: I am happy for the Deputy to do so. I have no problem with anybody coming in at any stage. I want to make sure everybody is treated fairly. If the Deputy wants to make a contribution, there is no issue.

Deputy Imelda Munster: We are all aware of the outrageous congestion and accept that something has to be done. People live with it day in, day out. Bus lanes and narrow streets can add hours to the working day. Deputy Troy has asked many of the questions I was going to ask. However, I do not think one of them has been answered. How was the NTA able to identify and calculate the specific number of properties, given that it said in its statement that “more detailed information on the individual corridors will not be available until that later consultation stage”? When the announcement was made, people were frightened to think their properties might be among those to have parts of their gardens confiscated or their parking spaces taken. I hope the NTA’s failure to identify these people and liaise with them does not turn out to be problematic for it from a public relations point of view. The least they deserve is to be given some information to put their minds at rest. The proposal is fine and glossy but it is fairly scant on the detail. That is something the NTA needs to look at between now and the public consultation. It should openly give people some information well in advance of the consultation process on where and how this scheme will affect their properties, what it will actually entail and what effect it have on them.

It has been suggested that these works will commence in 2021 and will be completed over a ten-year period. As we have often seen, for example in the case of the Luas project, projects that involve traffic management always tend to exceed the planned timeframes for them. This means that the plans for managing traffic congestion for the duration of such projects are very important. The officials from the NTA should provide a little more detail in that regard. I did not see much detail in the documentation. What will be the percentage increase in Dublin Bus services for the duration of this project and indeed when the project has been completed?

I would like to hear the NTA’s opinion on the proposal to ban free travel pass holders from travelling at certain times. I sincerely hope it does not endorse this outrageous and ludicrous suggestion.

There needs to be a focus on park-and-ride facilities. Regardless of where one lives, one should be able to avail of such facilities when one is travelling to work. I know it is down to local authorities. Deputy Troy asked about the NTA’s liaison with the various local authorities in this regard. One of the downfalls for every large town and city is the poor planning of the provision of park-and-ride facilities, particularly in commuter towns. There is not much detail in the document about this aspect or perhaps I just did not see it. I ask the NTA officials to provide some details on what is proposed in respect of park-and-ride facilities.

Mr. Hugh Creegan: I am conscious that we did not respond to Deputy Rock’s query about the cost and timing implications of the change to the single bore. We have not yet fully bottomed out these things. That is why I referred at the beginning to something that is likely rather than certain. At the moment, all the indications are that the cost of a single-bore tunnel will

be broadly of the same order as a twin-bore tunnel. Maybe it will be a fraction cheaper. The costs will be broadly similar. Opting for a single-bore tunnel will not make any difference to the timing of the project programme. In both sets of circumstances, the project will be started and completed at roughly the same time.

Deputy Noel Rock: That is great.

Deputy Kevin O’Keeffe: I find it hard to believe that a single bore would be cheaper than a double bore.

Deputy Noel Rock: There will be two bores.

Deputy Kevin O’Keeffe: It would have a bigger circumference.

Deputy Robert Troy: Why was it not done this way originally?

Deputy Noel Rock: To be fair, it was outlined in the consultation document in the first place, as those of us who read it will know.

Chairman: We have asked the NTA to find solutions to problems and that is what it is trying to do.

Mr. Hugh Creegan: All of these options have positive and negative aspects. If everything was very clear-cut, it would be very simple to do. There are implications of each option.

Deputy Troy had a number of queries. He asked when the process of making the MetroLink changes will be completed. As I said at the outset, we are working through all the submissions that have been received and all the issues that have been raised. We intend to bring out a single report, just as the Deputy has suggested. Our target is to do this in August. It will move us from what we announced previously as an emerging preferred option to what, having had the benefit of the public consultation process, we consider to be the preferred option.

Deputy Robert Troy: I assume Mr. Creegan is referring to August of this year.

Mr. Hugh Creegan: Yes, August of this year.

Deputy Robert Troy: Will it happen in early or late August?

Mr. Hugh Creegan: I was hoping to avoid answering that question.

Ms Anne Graham: We will go for late August.

Deputy Catherine Murphy: Mr. Creegan has timed his holidays around it.

Mr. Hugh Creegan: Questions were also asked about the level of engagement with the BusConnects project, with specific reference to the degree of consultation with local authorities to date. It is fair to say that because the BusConnects project straddles all the local authorities, we have taken the lead role in trying to pull together the principles, the approach, the routes and everything else. There has been a limited level of engagement with the local authorities so far. Now that we have reached the stage we are at, we will ramp up that engagement over the coming months. We intend to develop the BusConnects project on a collaborative basis with each of the four local authorities in Dublin over the coming period.

It has been suggested that the development of park-and-ride sites should be front-loaded as

the BusConnects project is pursued. It will be difficult to make bus-based park and ride successful until the bus lanes are in place. As we said during a previous visit to this committee, we might be able to do one or two park-and-ride sites in advance but others will have to wait until the bus lanes have been provided. Nobody is going to get out of his or her car to get on a bus that has a congested journey in front of it.

We were also asked about the sequencing of the projects, with specific reference to whether any part of the overall project will be front-loaded. The 16 bus corridors cannot all be constructed concurrently. The whole city would grind to a halt if we were to try to attempt that. We have not prioritised any particular one at this stage. Our current thinking is that we may be able to divide the city into quadrants and tackle one corridor per quadrant. As we finish each corridor, we could move on to the next one. We envisage that some version of that will be attempted. A carefully thought-out sequence will have to be followed in due course if this project is to be delivered.

The changes to the bus liveries were mentioned. Under the Dublin Transport Authority Act 2008, we are required to operate all transport operators under a single brand. We are conscious that as additional operators start to operate services, all services will need to be integrated rather than fragmented. These two goals - the legislative requirement and, as more operators start to provide bus services, the need to ensure the bus system looks like an integrated system rather than a fragmented one - are driving our thinking on the bus liveries.

Deputy Robert Troy: Mr. Creegan seemed to indicate that more than 10% of routes would be privatised if more operators entered the market.

Chairman: Is the point that more people will be travelling?

Ms Anne Graham: We have not made any decision about going beyond the 10% figure with regard to the proportion of services in Dublin that are not operated by Dublin Bus. That is part of a different consultation that we will do later this year. No decision has been made about that but there is-----

Deputy Robert Troy: There are only two operators in Dublin this year. As Mr. Creegan says, as more operators come on-stream, that would lead me to believe that there is-----

Chairman: There are more buses overall. The fleet could be getting bigger.

Deputy Robert Troy: I did not say more buses. I said more operators.

Chairman: It will mean more buses.

Ms Anne Graham: We tender services outside Dublin. A service for Mullingar town is likely to be a tender service. We do not know who the operator will be for that service. That is to fit in with the overall livery structure, so that members of the public know it is a subsidised bus service provided by the State for the benefit of customers.

Chairman: Does Ms Graham have an analysis of existing private bus capacity? If so, will she circulate it to the committee to allow us to measure what the private operators are doing? She indicated the authority has information on Dublin Bus. However, we do not know the level of private service provision in the city and in the area of commuter transport.

Ms Anne Graham: We have that information.

Chairman: It is not provided in the submission.

Ms Anne Graham: No. We have it.

Chairman: I ask her to share it with the committee.

Ms Anne Graham: That is no problem.

Chairman: Deputy Barry is next. Does Deputy Munster want to speak?

Deputy Robert Troy: We have more questions to be answered.

Chairman: I apologise.

Mr. Hugh Creegan: Deputy Troy asked when we would cease purchasing diesel-only buses. It is important to note that the buses being purchased have Euro 6 diesel engines and are very clean vehicles. From July 2019 onwards, we will not purchase any further diesel-only buses. After that point, we will purchase some other low-emission type vehicle.

Deputy Robert Troy: The National Transport Authority, NTA, will continue to purchase diesel buses until July of next year.

Mr. Hugh Creegan: We will purchase the current, modern standard of diesel buses until July 2019, after which we will no longer purchase diesel-only buses.

We recognise that more needs to be done on the cycling network. We do not deny that. They are difficult projects, as anyone who has been through the local authority system will be aware. It is worth reiterating that BusConnects is transformative for cycling. We will deliver that and create arterial corridors into the city centre. We will try to deliver more in the cycling area in the months and years ahead.

Ms Anne Graham: I will answer some of the other questions. We have plans to increase capacity on Dublin Bus services. As we introduce the Go-Ahead services, which will operate from September this year, drivers and buses will be freed up to extend the services operated by Dublin Bus. This will give us the facility to increase capacity on Dublin Bus services. We will have plans not only to deal with congestion issues but also to try to improve our services, including, I hope, having 24-hour services on some corridors and improving weekend services.

There was a question about whether our deadlines are arbitrary and if we could be more specific. At this stage, we can only give an indication of our timelines. When we start construction in 2021, we will make every effort to complete the project as early as possible. We hope it will not take ten years to complete and that concurrent development of a number of routes would reduce the construction period. However, we have to be very careful to ensure the operation of services is not undermined while construction works are taking place.

The Secretary General of the Department of Public Expenditure and Reform made an announcement on free travel, which gave rise to some discussion. While we do not have any proposal to change the conditions that apply for free travel during peak services, we continue to make the point that funding for the free travel service has not increased since 2010. The number of passengers availing of the free travel scheme continues to grow yearly. Free travel passengers are subsidised by the Department of Transport, Tourism and Sport through the subsidy it provides for services. They are also being subsidised by fare-paying passengers. We will seek increased funding for the free travel scheme to ensure it can continue. If we find that funding

does not increase, some steps may have to be taken. At this stage, there are no proposals to make changes to free travel.

Chairman: If the NTA were to propose to change the free travel system, what would be the process for doing so?

Ms Anne Graham: The Department of Employment Affairs and Social Protection has responsibility for the scheme and it applies the rules. We accept free travel pass holders on transport.

Chairman: I appreciate Ms Graham's point. Any change would come through the Department, not the NTA.

Ms Anne Graham: It would be a combination of the Department of Transport, Tourism and Sport and the Department of Employment Affairs and Social Protection.

Chairman: There would be a hot debate in the House.

Deputy Imelda Munster: For clarity, Ms Graham is not saying she would be against what would basically amount to a two-tier public transport service for those with a free travel pass. Decades of underinvestment in public transport is the main reason for the current state of the service. Is that not the case? It is shocking that Ms Graham did not rule out penalising a certain section of society, treating them as second class citizens and banning them from using rush hour services if funding for the free travel scheme is not increased.

Ms Anne Graham: No, what we want-----

Deputy Imelda Munster: Ms Graham referred to the NTA not being given an increase. She did not state that under no circumstances would the NTA consider banning pensioners or anybody else in receipt of a free travel pass from using their-----

Ms Anne Graham: The Deputy is putting words in my mouth. If she will allow me to-----

Deputy Imelda Munster: That is what the NTA is looking for.

Chairman: I appreciate the point the Deputy is making but in fairness to Ms Graham, the point she was making was that the scheme has to be properly funded and funding has not increased despite increasing numbers of users. The NTA's budget for the service is not adequate. Is that her point?

Ms Anne Graham: That is the point I am making.

Chairman: It is up to politicians to ensure an adequate budget is provided.

Ms Anne Graham: We are asking for the budget to be increased. We want to provide services for everyone, including free travel pass holders. We want to encourage everyone to use public transport but, as an operator or provider of services, we need to be funded for the provision of the services we provide on behalf of the State.

Chairman: That is a fair point. We know what our views are on this issue. It is up to the political system to ensure adequate funding is available.

Deputy Robert Troy: I understand Ms Graham's point. The allocation for the free travel scheme increased by €9 million in last year's budget. Has this increase been paid?

Ms Anne Graham: I cannot comment on that because it would not have been paid through our office. We only seek funding for the services that we directly tender. Any funding that goes to the other operators goes through the CIÉ group. Any arrangements with commercial operators are a matter for operators and the Department of Employment Affairs and Social Protection.

Chairman: I presume the consensus is that the committee should write to the Minister seeking clarity on this matter because the suggestion was floated by a senior civil servant. We have to ensure that suggestion is not implemented in the manner proposed and proper funding is provided for the free travel scheme. We will seek clarity on the point Ms Graham is making.

Deputy Kevin O’Keeffe: When a senior civil servant makes comments of this nature, the Minister will be made aware of them.

Chairman: The Secretary General is not the Minister. The committee’s position on the matter is absolutely clear - the answer to the Secretary General is “No”. Deputy Barry is anxious to ask a direct question, receive a direct answer and then make a few comments.

Deputy Mick Barry: Given that other members were given an opportunity to respond to the comments of the senior civil servant, I would like to make a brief point.

Chairman: Absolutely.

Deputy Mick Barry: There is no way free travel pass holders will be barred from peak time routes on my watch. That is the message I wanted and expected to hear from the NTA spokespersons. They did not say that. There was a famous individual in the United States who was told to go to the back of the bus and we all know what happened next. Discrimination is not acceptable in our society and the idea that free travel pass holders, old or sick people, or both, would be barred from peak time routes is unacceptable. Are the witnesses prepared to say that this will not happen on their watch? I want a direct answer to the direct question. I will be very disappointed if I do not hear that from leading spokesperson for the National Transport Authority.

Ms Anne Graham: We are not proposing any discrimination between a free travel pass holder and a fare-paying passenger on the services that we provide. We are conscious, however, of the funding associated with providing free travel on public transport because it has an implication for our budgets. There is an implication when the free travel budget is not increased to cater for the provision for free travel pass holders. We are not taking any action or any decision to change the access for free travel pass holders for access to our services.

Chairman: That is a fair comment.

Deputy Mick Barry: It is clear and it is a disappointing answer. It needs to be noted. I have other points I wish to raise.

My next point is again a direct question. Is BusConnects something that the NTA envisages happening on the basis of a fleet the same size or roughly the same size as the current fleet or will it come into operation on the basis of new buses being added to the current fleet to be put into BusConnects?

Mr. Hugh Creegan: What we have in our proposals that we launched last week is the infrastructure, the bus lanes. They will operate for the fleet that the operators will have. It is our intention that they will have sufficient fleet to provide the services that are needed. We do

not know how much larger the fleet will be from its current strength. The intention is that they will be able to operate their services on those bus corridors with sufficient fleet to provide the services that are needed.

Chairman: If it is proposed to double the numbers travelling, implicitly the fleet must double.

Mr. Hugh Creegan: If the numbers double, we would have to double the fleet. It would depend on the year one looks at.

Chairman: I appreciate that.

Mr. Hugh Creegan: The numbers will increase gradually and our intention is to ensure there is sufficient fleet in place each year to service the number of passengers that are using the service.

Deputy Mick Barry: I asked the question because there is a concern that if there is not a rock solid commitment to increase the fleet to bolster this proposal fully, we will end up with a trade-off. The trade-off is that while there will be an increased and improved service along the route of the bus corridor, other services which currently exist will be sacrificed in full or in part to facilitate that. Bus services in the Dublin area developed over decades not so much to serve places of employment, which is an important factor in the thinking of this proposal and I do not have a problem with that, but more on the basis of community and neighbourhood. It is common for bus services to connect with a very specific community neighbourhood or large housing estate and for those services to be used a lot by people who are vulnerable, such as those who are sick or old. The idea of strolling a quarter of a mile to the local bus stop is not as easy for these people as it might sound. Is it the case that services that currently go into the heart of communities, into big housing estates, for example, will be curtailed to facilitate the new service and that there will be a trade-off? If that is the case, the NTA has a responsibility to put all the information out there so that people can make a judgment not on part of the facts but on all of the facts. The witnesses tell us there will be 16 new corridors, which is a positive, and 230 new cycle lanes, which again is very positive. If the plan is implemented as it is currently being framed, however, what is the number of housing estates that currently have bus services going into the heart of them which may no longer will have such bus services? I am asking the witnesses to comment on the general point of a trade-off. Will housing estates lose out and are we talking about being able to count on one or two hands the number of housing estates that will lose out or will it be dozens, hundreds or more?

If there is a dedicated bus corridor, presumably there will be fewer cars on that route, so those cars will go somewhere else. They will be pushed to the left, right, north, south and on to other routes. There will be a knock-on effect in terms of congestion on those routes. I do not expect that to be quantified fully at this stage, but what work is being done in that regard and when will that information be published?

There are concerns in trade union circles about the question of privatisation, which is no surprise given what has happened with Go-Ahead. The witnesses mentioned the idea of revisiting the issue of tendering later in the year. It does not take a rocket scientist to work out that some of these routes might be more attractive to private for-profit operators than the traditional bus routes that exist in Dublin. In that context, I wish to ask about worker and trade union input into the plan. I understand there have been several drafts of the plan to date, perhaps as many as four, but seemingly no consultation of real character with trade union and worker sources, the

people who will be implementing a plan if it is to come in on the ground. What is the position on negotiation with the people who drive and service the fleet day to day?

Chairman: I thank Deputy Barry. Deputy Murphy is next, Senator Humphreys was here earlier and I have him down to follow, then Deputy Lahart, Senator Dolan and Deputy Brophy. The members are listed in the order they came into the room.

Mr. Hugh Creegan: There are two different things at play in Deputy Barry's questions. One is the infrastructure, the bus lanes. That is the document we put out last week for discussion. The second theme will be published next month, which is our proposals for where the bus services might run in the future. The bus lanes are required, even if we never made any change to the bus services. They are busy routes. People are delayed on them. They need those bus lanes, in any event. Next month we will come out with the proposals for the bus services and it will be the subject of extensive public consultation. It is not the case at any level that what we are trying to do in those bus services is rob from the housing estates to feed these main routes. That is not the case. Overall, a lot more services will be proposed in the redesigned set of proposals that we will publish than we currently have. Not every service will be the same, and there will be issues undoubtedly, but our intention, as we said at the start of BusConnects, is to enable more people to travel to more places. That has been at the centre of everything that we do on this. In terms of the congestion issue, it is absolutely correct that displaced traffic moves somewhere. The impact of that will be dependent on how successful we are in providing an attractive enough bus system such that more people are able to use it. We will quantify that at a later point; we do not have it done yet. We have more work to do. Towards the end of year we will have at least some of that assessment work completed.

Ms Anne Graham: In terms of consultation on the network, we propose to consult publicly on the network changes from next month. I would imagine that the bus operators that may be operating this network will also consult their workers and trade unions about it at a later stage. The first proposal is to put it out for public consultation to get feedback on that network of services.

Deputy Mick Barry: I have listened very carefully to what Mr. Creegan has said. It leans towards the idea that this is an addition to services rather than a replacement of services. The devil will be in the detail. I look forward to seeing the published plans next month and the debate that comes from that.

Chairman: The question of orbital routes was not addressed but it is implicit obviously in the whole plan. That may or may not have an impact on whether routes are changed. Orbitals may be a wiser and a better choice in some respects. I do not know if they will be or not.

Ms Anne Graham: In terms of the network of services, what we will produce next month will show additional orbital services. What we have said in our BusConnects corridor plan is that a plan for the infrastructure that will support those orbital services will come later. We focused particularly on the radial routes initially. We will look at the infrastructure that is required for the orbital movements at a later stage. In regard to the network, we will bring forward, and I would hope people would agree, an improved orbital network of services.

Deputy Catherine Murphy: I too want to make a quick comment on Mr. Watt's remarks on the bus pass. We have got to be very conscious when one is talking about a bus pass that there is an array of people using public transport who are using a bus pass. Some of those are people with disabilities or people who have no other way of moving around. We have got to

be very conscious of that. It seems that we have a Minister for Transport, Tourism and Sport who is really the Minister for Justice and Equality and that we have a Secretary General who has suddenly become the Minister for Transport, Tourism and Sport. Some of this is really an unacceptable way of communicating and there is a degree of scaremongering that is going with it. I am very happy that we will write to the Department of Employment Affairs and Social Protection because some of this is unnecessary. I completely accept the point that unless this is funded, it cannot be provided.

We could look at BusConnects and the difficulties and say why it cannot be done. I remember when the first of the bus corridors was brought in, there were all sorts of problems at the time. In fact, where they work they can work very well. I know some of these corridors reasonably well. One would know them better if one used the buses and one could see where the pinch points and things like that are. Take my own one bus corridor, route No. 66, which was one of the first ones that was developed. Apart from the cycle lane, the corridor does not change; it is exactly the same all the way in. How many others are more or less the same, and really do not require very significant amendment apart from the very important amendment to prevent mixing buses with bicycles? Certainly, there are an increasing number of people on bikes. Will they be segregated? Is physical segregation what the intention is? One sees that in other parts of Europe and it is a much safer environment for pedestrians to have a physical delineation between the two, and maybe even a difference in the surface. That would be important in encouraging people to cycle more. There was a proposal recently about a legal distance. I had a concern about that because I wondered whether it would be implementable and enforceable. I think the principle of it is a very good one. The segregation is one question.

In terms of the current capacity, have scenarios been looked at around the national planning framework, the number of passengers now, where growth will happen and what the capacity is likely to be? Have those projections been done?

Again, using the example of the one along the N4, which is unlike the one to Bray - I do not doubt an improvement is needed along that corridor because we could see with the recent rail disruption that the bus corridor was also problematic - why would one confine it totally to the city or to Dublin, when in fact Dublin Bus has routes that go beyond? For example, my own area is served by the Nos. 66s and 67s and there is already a population of approximately 50,000 in those three or four towns in north Kildare. Leixlip, Celbridge and Maynooth are served pretty well by Dublin Bus, but the bus corridor only starts in Lucan. Why would we exclude that location but still call it the commuter belt? It seems strange to do that because we want to discourage people from using cars and encourage them to use the buses. I would have thought that looking at that area also would have been important. I have no doubt the same is the case in a couple of other locations. It is certainly very obvious in north Kildare.

In regard to the orbital routes, I had expected, if it is BusConnects, to have seen the radial routes with the orbital routes published at the same time in order to get a visual on how that might work. Obviously, there is timetabling and the points of connection between the buses, and I refer to the comfort of the areas people will require when getting off a bus and the provision of a decent shelter, which can be an issue in its own right. All of that requires consideration. In terms of people seeing it as an attractive option, if they get off one bus that is on a radial route and there is an orbital route they can connect with, they should not be waiting 15 minutes for the bus. That those connections should be made easy. Will there be a presentation on the kind of timetabling or will that happen some time in future? Will routes be looked at first and then timetabling after that? Will any indication be given of what people might expect? If

people see something that is well thought out and well designed, and they buy into it from the word go, it is a better way of appealing to people.

The bus is the workhorse of the public transport system. In that context, I do not understand why so little attention was paid to the disruption that might have been created, and was created, when the cross-city Luas service was developed. The signalling system works for the Luas but buses do not get the same priority. Has consideration been given to prioritising buses too? The new proposal means there will be more buses and a greater number of people using them. Unfortunately, bus transport is the poor relation in terms of priority.

Delivery has been mentioned by the witnesses and Deputy Lahart made some interesting points about delivery at the last meeting. Is the delegation talking about the private operators who make up 10% of users being allowed to use the same routes as Dublin Bus? Will it be a seamless operation; 10% of 1,000 buses is 100 buses but 10% of 2,000 buses is 200 buses. Will the 10% figure remain static? I accept the point made by the NTA that it has not made a decision or it will not make a decision to expand the scheme.

What are the downsides, if any, of a single bore metro option? I suspect that if there is a breakdown or fire that capacity will be lost in both directions. Are there other downsides that we must understand? I am sure there is a good reason that the NTA gave consideration to the two bore approach. I would like to understand that situation so I would like to hear about the constraints and possible difficulties.

I have inquired about locating cycle lanes on bus corridors. Will it be possible to segregate all of the new cycle lanes? Is that where the money will be spent, in addition to the land?

Chairman: Over the next number of years the NTA will undertake a lot of work, including MetroLink and the expansion of the DART and bus transport systems. Does the NTA have enough staff to do such work?

There is a huge volume of work ahead for the NTA, which means it will encounter An Bord Pleanála. How can we ensure that An Bord Pleanála will deal adequately, quickly, fairly and professionally with the volume of planning applications?

Mr. Hugh Creegan: I will address some of Deputy Murphy's queries. She identified the Lucan-city centre corridor, which is the easiest project. For the reasons that she outlined, we expect to improve the project. The route does not have segregated cycling along it and we will take the cyclists out of the bus lanes where we can do so. There are issues at some of the junctions where the bus priority is well back from the junction but buses get delayed by left turning or right turning traffic, as the case may be. The M50 junction is another place where we want to see if we can improve bus movement. There are a number of places where we can improve movement but the corridor already has a reasonably high level of bus priority at the moment. The Deputy could have picked another route and it would be a different story.

We intend to have segregated cycling everywhere possible. We cannot commit to getting it in everywhere because such a plan would prove too ambitious. It would mean we would have to knock down properties in one or two places and, therefore, we have not given such a commitment. We will end up with segregated cycling facilities on the vast bulk of the route, which is good for both cyclists and the bus system. It means that bus drivers do not have to interact with cyclists and *vice versa*.

We have not applied growth projections to this project but we will in due course. We have

a transport model that has been kept up to date and all of the national development plan projections have been built in. All of our transport planning tries to take account of the future growth levels that are expected to occur.

Deputy Catherine Murphy: How often is the plan updated? Is it updated when land is zoned, when planning has been granted or when developments have been completed?

Mr. Hugh Creegan: Updates are largely based on zoning. Let us say a zoned area has a density of 50 houses per hectare. We will have got that information from the local authority and built it into our model, including the projections. If the situation changes then we revise and update our plan. We also conduct sensitivity scenarios and ask ourselves what if the density is higher or lower. Our plan predominantly stems from the zoned areas that local authorities create in their development plans.

The Deputy asked why we did not go further with bus corridors. One will see in the proposed redesign of the bus service, that will be announced next month, that the services start to divide when one travels further out of the city and, therefore, bus frequency starts to drop. We would love to do more but we need to start somewhere. We started with what we view as key routes. There is no problem bolting on something afterwards, if it makes sense.

I think the Deputy referred to the ease of movement between orbital and radial routes, and asked what could be done to address the matter. Such routes will be part of the services plan that will be announced in a few weeks time. The plan will include a lot more orbital routes. The Deputy was right when she said that there must be a seamless transfer from one route to another thus making the routes attractive. If that movement is not simple and easy then it will not be an attractive transfer. The network redesign will provide the timetable information that the Deputy asked about. The information will not say that a bus will come along at 4.02 p.m. or whatever but it will say that we expect to put a service on this route and a bus will come along ever ten minutes in the midday and every five minutes in the peak hours. That information will be provided and people will be able to make a judgment.

The Deputy asked whether there are downsides to the single bore tunnel versus a twin bore tunnel. There are a number of downsides and upsides for both options. Like most things in life, there is no perfect answer. There is one school of thought that says two tunnel tubes is a better idea in the event of an emergency because they allow passengers to move from one tunnel tube to the other tunnel tube through cross passages. However, that requires narrow walkways to be included alongside the edges of the tunnel, which creates issues such as how do wheelchairs use the narrow walkways. The other school of thought is that one tunnel tube is better because one has all of the space of the second track available to offload passengers and thus allow them to move much more easily up and down the track. Most international experience is beginning to move towards the single bore tunnel. Certainly, the design team that is involved with us now has a lot of experience in building a single bore tunnel, addressing all of the safety issues and ending up with a really safe project. There are pluses and minuses.

Ms Anne Graham: I will pick up on some of the other questions posed by Deputy Murphy. She asked, given that the bus is the workhorse of public transport, why buses do not get the same level of priority in the city centre compared with the Luas cross-city service. In the lead up to the launch of the Luas cross-city service we conducted some very careful planning with both Dublin Bus and the local authorities. We tried to ensure that all of the different modes of transport could operate through the city centre. We published traffic management plans around the city centre. A lot of improvements were made, particularly on the north quays, to improve

the movement of buses through the city centre. When we were in operational mode, we had hoped that the College Green proposal would be in place at that stage, which would have changed the movements of buses around the area. When it transpired that that would not be an option, we had to make a decision to remove some of the bus services at peak times in order to keep general traffic moving through that area. The bus can respond very quickly in terms of changing priority but we consider all services in the round and try to improve priority for bus and light rail at the same time.

The livery for the Go-Ahead services has been designed and those buses will come into operation later in the autumn. We wish to provide a single livery across the Dublin services but we are still working with Dublin Bus on the livery and how it might be presented in terms of the services it operates. We want it to be under a TFI bus livery such that customers are not confused about this State-provided bus service in Dublin.

The Chairman asked about staffing. We want and need more staff in order to deliver and we are working with the Department of Transport, Tourism and Sport to see how we can deliver these ambitious programmes of works with our current staff and, it is hoped, an improved level of staffing resource. We are very conscious that we need to engage with An Bord Pleanála, which decides on many of our infrastructure projects, to alert it to the projects coming forward not only in terms of transport but also other major infrastructure developments such that it is resourced to manage this programme of works.

Chairman: The committee will write to the Minister to state that these issues have been raised with the committee and should be addressed. We do not want proposals to be held up because of a shortage of professional staff to deal with them effectively and efficiently. I call Deputy Lahart.

Deputy John Lahart: It has been an interesting conversation. I thank Ms Graham and Mr. Creegan for their attendance and public service. Ms Graham made the point regarding Luas cross city that when College Green did not come into play, the NTA was forced to make changes. That is not really the case because it would have known of that months in advance of the opening of Luas cross city. The chaos caused by Luas cross-city prompted the NTA to make changes and redirect 30% of Dublin Bus routes. That is a more accurate description of what happened.

Ms Anne Graham: We hoped that we would not have to make such extensive service changes. When one begins operating through a very sophisticated signalling system throughout the busy city centre, one must operate it for some time to see what impact it has on other transport services. One can predict what may happen and that was part of the management programme we put in place in terms of trying to improve the infrastructure on the quays and in other parts of the city. One predicts as much as possible but the big test is when it is operating and in service and one can tweak the signalling system to try to make improvements and, ultimately, make changes to the services in order to improve the system overall. I do not agree that there was chaos. Rather, it was part of the learning experience of moving a significant piece of infrastructure into the heart of the city centre.

Deputy John Lahart: That may be so, but buses were the casualties. Some routes were amended, such as the No. 15 which I use. It was redirected from College Green in advance of Luas cross city to facilitate that project. However, it was not restored to its original route and the closest stop to the Oireachtas, for example, for a person travelling on the bus from Knocklyon or Templeogue is College Green or the Bleeding Horse on Camden Street. I will come

back to that because it needs to be separately addressed.

I could not be more enthusiastic in my welcome for BusConnects. I know it is a cliché but it will involve the breaking of a number of eggs, which will be painful. The NTA was correct to be upfront on compensation such that people at least know of it. The timeline is very ambitious. The city needs this project and I am a very strong advocate for it but it will hurt some people. I wish to ask some questions relating to my constituency. BusConnects is the way forward for the city and it is democratic. If one had a Luas for everybody in the audience, life would be great but the problem is that when Luas lines are constructed everybody between the lines, such as those living in my constituency which is between the green and red lines, suffers because they do not have the service and are ambitious to get it. There are associated issues such as an increase in property values. That is not a democratic way to do things. BusConnects will not cause the same increase in property prices as would rail-based public transport but it will have some effect. It is essential to have an A to B seamless, segregated and guaranteed route. I am the biggest supporter of the NTA in that regard.

Some of my questions have been answered so I will be quite quick. One of the big advantages of Dublin Bus is its reach into housing estates in various parts of Dublin, as other members stated. Will that suffer? It is an essential part of the service which must be maintained but that can only be done if the fleet is increased. Ms Graham is aware from the most recent Dublin Bus strike that there is significant loyalty to and sympathy for Dublin Bus in the city and that people are very understanding when drivers take industrial action and there is very little adverse public reaction to that. Will some areas be left without buses? Will buses be pulled out of estates? That is the lifeblood of many people, particularly older people and those in disadvantaged areas. Dublin Bus currently carries approximately 140 million passengers on the existing network. What will happen to that network? I ask Ms Graham to help us with the narrative in that regard because the proposed bus corridors are separate to it but connected. Dublin Bus has approximately 1,000 buses. If BusConnects were in place tomorrow, how many buses does Ms Graham think would be needed to maintain the existing network as it connects to the corridors and to keep it running on a pretty efficient basis? If the NTA got everything it wants and BusConnects was ready to launch tomorrow, how many buses would it require in tandem with the existing network?

This is where we will differ. Ms Graham stated that it does not matter who is operating the service. Does the NTA propose tendering the 16 bus corridors separately? Similar to the manner in which those who can afford to do so buy homes near the DART or Luas lines, some people have made home or work choices based on existing bus routes. Has that been taken into account in this project? I acknowledge that the NTA is not at the detailed design stage but it will have to sell to the public the interchanges at which several buses will arrive into a depot and a person such as Deputy O'Dowd may get off one bus and connect with another. We need images of those interchanges and their geography and an explanation of how they will work because one of the drawbacks of the existing system is that people do not know how to connect. One of the advantages of the Dublin Bus system is that it has many single journey route options that work very well. How does the NTA work around that? We need more orbital routes. What data does the NTA have to suggest that people do not want city-bound routes, which Dublin Bus predominantly provides? I do not expect detailed answers but we will need them because the NTA will get these questions at a public consultation. In my constituency, the bulk of the Templeogue to Tallaght BusConnects corridor is in place, along the N81 to Templeogue Bridge. There will be a little work to segregate it but there is ample land, which is public land and will not be an issue. Why is the NTA not starting it from further up the N81, for example, at the

Jobstown turn at the beginning of the dual carriageway? That would be a relatively inexpensive addition to it. There is a hard shoulder and there is public land available. There may be little bits and pieces to be done to segregate it and a proper cycle track. If it is being done between the M50 and Templeogue, what is the difficulty here?

If this is to be seamless, it looks like Templeogue village is a pinch point. What are the NTA's plans for property owners who may need to be contacted there? If the NTA is to fulfil its ambitions, several property owners will have to be contacted along the stretch from the Templeogue-Templeville Road junction to Terenure village. Can the witnesses comment on that? Garden acquisitions will be required on Rathfarnham Road between Rathfarnham village and the Rathfarnham crossroads at the Dodder River.

Chairman: There is another group waiting to come in. These are important questions and the Deputy is entitled to a full answer but I am not sure the witnesses have the detail of particular routes with them. Before Deputy Lahart continues, Senator Humphreys missed his slot because he had to leave but he is back. I am conscious that I must finish this sooner rather later. I will take Senator Humphreys next if Senator Dolan agrees to that.

Senator Kevin Humphreys: I will be brief.

Chairman: I accept that. I just want to be fair to everybody and to our witnesses who have been here for almost two hours.

Deputy John Lahart: I will curtail my questions.

Chairman: I am not trying to curtail the Deputy.

Deputy John Lahart: I appreciate that. I am happy to get written answers to those questions. The witnesses do not have to respond verbally.

A major issue for Ballycullen, Knocklyon and Firhouse is that there is nothing for them in the metro plan under Project Ireland 2040.

Chairman: I will take Senator Humphreys now.

Senator Kevin Humphreys: I apologise for having to leave and come back.

Chairman: I thought Deputy Lahart was finished; I apologise.

Deputy John Lahart: No, I am not finished.

I thought this could be an easy gain for the NTA. Ballycullen is one of the fastest growing areas in my constituency. There are BusConnects corridors proposed for Tallaght to Terenure and for Rathfarnham to Terenure with a huge road width available because there is a park. There is a quality bus corridor, QBC, on Firhouse Road that could very easily connect to the proposed Tallaght to Terenure corridor via the Spawell Bridge. The cost would be minimal and the guts of the infrastructure are there but it is important for connectivity.

There is a QBC on the Ballycullen Road which connects to the Firhouse Road. It is under-utilised as a bus route serving an area that is starved of a bus service. I wrote to the NTA and my hand was smacked. I was told it was considering BusConnects and not to dare come near it with these proposals until it was done. I thought that was a good sign and that it would be included in BusConnects. This would connect two of the corridors. There are QBCs on Firhouse Road,

which is fully segregated, and on Ballycullen Road, which is almost fully segregated. They connect at a T-junction. If they were joined, I guarantee that local people would oversubscribe the bus service on offer. The 15 does not serve them. Dublin Bus has been attempting to sweat the 15B to facilitate them. They need a dedicated service. I will write to the NTA again about this but if I was an engineer, I would say these are two very easy gains. Similarly, there is a bus corridor on Ballyboden Road. That area south of Knocklyon is developing. There are 3,000 or 4,000 housing units going up there and the residents will have nothing.

I am not a member of this committee; I am a casual interloper. We need a much more detailed conversation about Dublin Bus and its livery, its independence-----

Chairman: The Deputy has asked many technical questions. I would love to know the answers to them but if we get the answers, we will be here all night.

Deputy John Lahart: I mean we should have a separate meeting.

Chairman: I agree with the Deputy. That is why we have started here-----

Deputy John Lahart: It should be a separate meeting.

The NTA did not give a timeline for the public consultation process on BusConnects or say how the review of the network ties in with it.

Senator Kevin Humphreys: The MetroLink on the southside has caused quite a bit of anxiety and a sense of injustice. Schools and residents did not have an opportunity to appear before the committee although those on the northside had. If an offer is made that impacts on one part of the city, all parts of the city should have an opportunity to appear before the committee. The MetroLink is like a Berlin wall running through certain areas of the southside.

According to *The Irish Times*, the Merrion flyover is being shelved. I am waiting for a letter from Ms Graham outlining the factual position. The residents of houses which were to lose their gardens or to have flyovers beside them are no longer in a position to sell their houses or move on because there is no clarity on what is happening to their front gardens.

Ms Graham gave an indicative figure of 1,300 front gardens and parking spaces that would be lost in the bus corridor. More than 3,000 people feel they may be impacted by it. Auctioneers have been advising people whose homes were for sale that they have to inform interested parties that the front garden may be affected. Time is critical. There is an indicative line on the map for a bus corridor on Pigeon House Road which would take away 90 car parking spaces with no alternative. The owners of three or four one-bedroom cottages on that road who want to move to family homes and to have children cannot sell until there is some clarity. This is having an impact on families. I question how this is happening and its impact on many people.

What will the impact of the single bore tunnel be on the southside if the NTA decides to go ahead with that? Will that allow the single bore tunnel to go further south underground instead of emerging on Charlemont Street, which would have a significant impact? Given the injustice that has been done to the communities on the southside and the lack of engagement by the NTA and this committee, because they have not received equal treatment, would the NTA meet representatives of the residents' groups on the southside to have a discussion during this period? We asked for an extension, which was refused. I can understand that but one of the reasons it was refused was that there was an undertaking to this committee that it would not extend the consultation period. That was disappointing because those residents and schools did not have

that opportunity. This involves schools, residents and the demolition of homes.

I am a firm supporter of public transport, cycling and pedestrians, and have been since I got involved in politics. However, this must be done correctly and inclusively. Each part of the city must be treated in the same manner, but that is not happening. On many occasions people have received their information from the “Morning Ireland” programme, which is disappointing. In fairness, the NTA wrote to the garden holders in the case of the Merrion flyover at an earlier stage before there was a public announcement. However, the manner in which it has done this up to now has caused great confusion. With regard to the bus corridor and the metro, community groups have a great feeling of injustice due to the lack of consultation and engagement. They do not believe they have been treated in an equal manner with the northside. They attribute that to the statements made by the Taoiseach and the Minister for Finance, Deputy Donohoe, at an early stage in the consultation. The public representatives on the southside have been quiet on this.

I ask the NTA to try to rebuild trust and engagement by meeting the community representatives on the southside so there can be proper engagement and equity of treatment, which has not been the case up to now.

Chairman: I wish to be helpful to everybody. Everybody has the right to ask questions. With regard to the NTA’s answers, I do not have an issue if there are matters that can be replied to in writing - for example, if there are specific technical questions that could properly be parliamentary questions and be answered in a direct way. However, we have urgent business for the second part of the meeting and I am conscious of that. I call Senator Dolan.

Senator John Dolan: I thank the representatives of the NTA for their participation today. I had an interest in this agenda before I saw the report in the *Irish Independent* today regarding the Secretary General of the Department of Public Expenditure and Reform.

Chairman: I am sorry to interrupt but somebody’s telephone is ringing. It appears to belong to Senator Humphreys.

Senator Kevin Humphreys: I must go to the back of the class now.

Senator John Dolan: With regard to the document on BusConnects and the statement, I would find it reassuring that subjects like this-----

Chairman: I apologise but I must interrupt again. Somebody’s telephone is still ringing. We know it is not Senator Humphreys’s. It interferes with the recording equipment.

Senator John Dolan: It is Government policy that public transport is to become accessible for people with disabilities. The ratification of the UN Convention on the Rights of Persons with Disabilities, CRPD, commits us to that through decisions of the Oireachtas. People with disabilities and I would find it more comforting if that challenge was routinely referenced in documents and statements. Even if Mr. Watt had not made his contribution, everything being discussed here today relates to people with mobility impairments and other disabilities.

I wish to comment on the Secretary General’s comments. He talked about his friend Paddy travelling on the bus for free while all the mortgage slaves paid. That is incendiary language. It is not helpful. However, Paddy does not get on the bus for free.

Chairman: Everybody’s telephone better be switched off. It causes difficulty for our staff,

and it is not my telephone. Telephones should be put on airplane mode. They cause a problem for the people working on the broadcasting.

Senator John Dolan: The Department of Employment Affairs and Social Protection pays for it. I note the reasonable point that there has not been an increase in the payment from the public purse. It is not a free travel pass in that sense. It is just that the punter who qualifies for it and uses it does not pay at that point. That comment is unhelpful. He said it was not a criticism of existing Government policy because he is not allowed to criticise Government policy. In effect, however, he is tilting at Government policy when he does not accept that there is a challenge to our public transport services to become fully accessible. To talk about a debate is very unhelpful.

There was much talk about older people, but many people with disabilities and mobility impairments are affected. Does somebody think that people get out of bed at 6 a.m. or 7 a.m. to be in the thick of rush hour traffic for the heck of it, and do the same at 4 p.m. or 4.30 p.m.? There is a reason they are doing this. Are they going to help their sons or daughters with child-care? Are they going to medical appointments? Research must be undertaken. There has to be an ethical and respectful approach to all of the public. In fairness to the NTA and all of us, it is a big challenge to make our public transport accessible. In this committee we have heard from the mouths of the people concerning the difficulties they routinely have, not just when there is a bus or train strike. Their hearts are palpitating every time they travel. I acknowledge the Chairman is writing a letter but the Secretary General should be given an opportunity to come here, as should the Department of Employment Affairs and Social Protection because it is part of it as well.

Chairman: If the committee agrees we will invite them. I do not have a problem with that.

Deputy Catherine Murphy: I do not see what role the Secretary General of the Department of Public Expenditure and Reform has regarding transport. He should not be commenting publicly. What was said was utterly offensive. Why would we write to him and invite him here?

Chairman: To chastise him, I presume.

Deputy Catherine Murphy: We can do that by way of a letter, without wasting our time.

Chairman: He needs to get a message loudly and clearly.

Senator John Dolan: I wished to make that point. Given my background and the routine engagement I have with disabled people, what has been said does not come across as respectful and thoughtful in any sense, nor is it in keeping with Government policy. I would have thought that the Secretary General of the Department of Public Expenditure and Reform would understand the ins and outs of money coming from a Department, not coming from a Department or not enough of it coming from one Department to another for a public scheme.

I will leave that aside. I have half a dozen questions for the witnesses. I am not expecting responses so I will rattle through them. What engagement has the NTA had with local authorities across the 16 core bus corridors to establish how many disabled parking spaces and the like would be impacted? Can the NTA explain the benefit of more than €14 million in expenditure for rebranding the Dublin Bus fleet? This matter has been raised by other members. Has there been engagement with disability groups? A change of branding by marketers might be exciting, but the elderly and some people with disabilities or medical conditions can get used to a style

of branding and then be confused or put off if it is changed significantly. I have in mind people with intellectual disabilities, dementia or other neurological conditions who know the sign for a certain type of bus, for example. There needs to be thoughtfulness in respect of this matter. When Translink makes changes to its fleet, for example, it invites members of the mobility impaired and wheelchair community to go to see mock-ups of those changes. It is important that we not reach the point of the bus being unveiled before we find out that there is a blip. People should know what compromises are being made before a conclusion is reached.

What discussions has the NTA had with the disability stakeholders about its new routes? Will the BusConnects budgetary requirement impact on the budget or resources Bus Éireann needs to ensure that its fleet is accessible and that disabled people can travel? What other impacts will there be?

I will leave it at that. I am not looking for everything to be dealt with now.

Chairman: I appreciate that. Where answers can be given in writing to the member directly, that would be appropriate. If we wrote to the Secretary General to point out that his comments had caused us serious concern and refute his point, would that also be appropriate?

Deputy Robert Troy: We could also remind him that a Secretary General's job is to implement Government policy, not to make it.

Chairman: We could also ask him to outline the basis for his commentary. We will send the text of the letter to members so that they can be satisfied with it before we send it. Next is Deputy Brophy, whom I thank for his patience.

Deputy Colm Brophy: I thank the Chair for facilitating me. I am not a member of this committee, but I wanted to make fairly important points, some of which have been addressed by my constituency colleague.

Although I was not going to comment on the matter just mentioned by the Chairman, I am of the view that the committee should make its opinions heard in the strongest possible way. I am old enough, and have been a bus user long enough, to remember the lunacy of when there were restrictions on the pass. I sat on buses where ten or 15 minutes in circumstances were wasted by drivers having arguments with people who said they had been waiting at the stop since before the cut-off time. In an era of discussions on high-speed connections and improving the service, the farce that is someone suggesting something that we had the good sense to get rid of over 20 years ago is beyond comprehension.

I will raise my core point with the witnesses. Unlike my constituency colleague, Deputy Lahart, I do not welcome elements of the NTA's proposal on BusConnects. While I welcome the strategy of improving our bus services and the idea behind it, given that an improvement is vital, I wish to discuss the manner in which the NTA has chosen to implement it. I appreciate that every organisation has to make decisions about how it will do something, but I base my decisions on what I believe is at the heart of representative politics, that is, representing everyone in our communities regardless of whether he or she voted for us.

I draw the witnesses' attention to something that is inherently lacking. Transport forms part of a city of communities. It is not something that takes place in the abstract. Nor does it involve the movement of many people from one part of a city to another, as desirable as that is. Rather, it is about moving people through communities and neighbourhoods where there are families, sporting organisations and community groups. While theoretical planning is welcome and has

to be done, and the NTA will now be moving to a consultation process, there was a lack of real involvement before an undetailed announcement about something that would impact on the daily lives of hundreds or thousands of people was made.

I will take the witnesses through what I mean by that, particularly as regards the Templeogue proposal. Developing that bus route will involve the closure of a road to inbound traffic and the diversion of traffic onto two other roads. One of those is Cypress Grove Road. It is a small point, but emblematic of how the NTA approached this matter, that it could not even get the name of the other road right. It has actually proposed that the traffic be moved onto Springfield Road, which is a cul-de-sac in a quiet residential area. That may be a typo, but I do not know how many hundreds of thousands or tens of thousands of euro have been spent on this document. It was published without being proofread, a level of sloppiness that has caused excessive worry to residents who will not be directly impacted. That is not worthy of an agency like the NTA.

I will not discuss the benefit of the QBC because everyone recognises that it will have benefits. In its considerations, what weighting has the NTA given to people living in the area through which it intends to divert traffic? It is proposing bringing roads to a standstill. For example, hundreds of families living on or close to Cypress Grove Road will not be able to get onto it in the morning. Given that someone in the authority will have examined the matter in some detail, the NTA will be well aware that these roads are already congested and have queue times in excess of 20 minutes between one junction and the next at peak times. Despite that, the NTA will still move a volume of traffic onto it. I appreciate that the long-term goal is for car drivers - "God love them, they are stupid" - to stop driving after the NTA has made it impossible for them to drive into the city, but that will not happen immediately. As such, there will be an impact.

Let us consider the NTA's track record. It said one thing about the interconnector around College Green but, when that did not work, it had to divert the bus routes to free up the complete gridlock. I am worried about the impact of the plan on communities if the NTA does not get this right in the theoretical and planning phases before it goes live.

Many of the questions that have already been asked of the witnesses I would ask as well. What will be the NTA's communication process with the communities? I am not just referring to those along the routes, but also in the surrounding areas. How does it intend to engage and how quickly will it do so? Why did the NTA decide not to indicate clearly from the first moment what lands and gardens would be subject to compulsory purchase orders, CPOs? I am sure it must have had an idea. While it engages in a consultation process, whole roads and areas are being put into limbo for people who are trying to move, sell their houses and so on. I cannot believe that there is not a plan sitting somewhere in the NTA's offices outlining whether the houses on, for example, the left-hand side of a road would be affected as opposed to those on the right-hand side.

A question was asked about Templeogue village. It is almost a complete logjam. The witnesses can reply to me and Deputy Lahart in writing. How does the NTA plan to address the route through that area? How does what is proposed sit with the fact that South Dublin County Council has a redevelopment plan for the village?. The left hand does not seem to know what the right is doing.

The question of other QBCs has been raised. Before massive plans such as this - however necessary they may be - are put in place, a massive increase in the number of buses using exist-

ing, under-utilised QBCs would be much more welcome. That is at the heart of what I wish to say. If people had an opportunity to get on a bus, we would have a real indication in my constituency as to the level of bus usage. There is a logjam on the N11 - the Stillorgan dual carriageway - at Donnybrook. Everyone who travels the route by bus knows that. People get on the bus because there is a proper service that runs in a QBC most of the way. That shaves a lot off one's travel time when one compares it with a journey by car and people accept the fact that there will be logjams. People in my constituency, those in Ballycullen and Firhouse, do not have that option.

I will make a final point which explains a lot of the cynicism people have about consultation. I went through this as a councillor with Dublin Bus. I appreciate that the witnesses are not here to represent that company. Those who do represent Dublin Bus came, saw and said they would talk. What they did ultimately was implement a structure that suited an element of the transport community. It suited people who wanted to travel from an outer area to work in the morning as fast as possible. That worries me because the witnesses seem to be thinking the same way. Who was left behind? Pensioners, schoolchildren, older people with disabilities and those who could not make the 15-minute walk to the nearest bus-stop because they were not in full fitness and health. I know that there is a second phase on the way regarding the interconnectors. However, I am concerned that, again, we are looking at developing a transport system which focuses on a particular section of society and which does not take account of the people whose communities through which that system will run and those who do not have the ability or the wherewithal to get to the major interconnector routes.

Chairman: Before our guests reply, I wish to state that there is huge interest in this matter, particularly in the constituencies through which the routes will run. Two Deputies who represent the same constituency have pointed out that there are serious concerns because there will be more gardens lost there. I do not expect our guests to reply in respect of many of the issues that have been raised, with the exception of those relating to policy. Without telling our guests what to do, I am of the opinion that it would be a good idea if Members of the Oireachtas were invited to attend a meeting at which the nitty-gritty details relating to locations, streets, etc. might be discussed with them and the relevant officials. Such a meeting would help broaden our knowledge of the matters that have been raised.

Deputy Robert Troy: I asked about the level of consultation with the people who are affected, not just political representatives but also those on the ground. I also asked if our guests would be conducting town hall meetings at which people can engage and have their concerns addressed. I am disappointed to hear that our guests have not been engaging with the local authorities on route selection. Mr. Creegan said there is limited engagement and that it would be accelerated. I would have thought that the bodies that are responsible for future development and population growth would have been the first to talk to before coming out with a plan in terms of where there is a need to increase public transport.

There are people who will inevitably lose some land. That has to be acknowledged and, unfortunately, it has to happen in some cases in order for this to work. In the context of people who do not co-operate, will our guests be going down the compulsory purchase order, CPO, route? In terms of the compensation people can expect, is the figure that has been bandied about in the media fair and accurate or will the actual figure be based on property values in particular locations?

Chairman: So many questions have already been asked. However, in light of the fact that there will be environmental impacts of which the witnesses will be aware of in the context of

gardens being lost, trees being knocked down and streetscapes changing significantly, are there proposals to add value in terms of street furniture, environmental improvements or even new parks? This is a €2 billion project and I appreciate that it is focused on transport but the environment and improvements to it are essential considerations. In my view, taking cognisance of the environment and of the impact this project will have on it would lead to a greater appreciation of what is being done.

Ms Anne Graham: Will I do a summary rather than-----

Chairman: A summary is fine

Ms Anne Graham: -----answering all of the questions? If we do not pick up anything-----

Chairman: We will come back to Ms Graham.

Ms Anne Graham: -----we will respond in writing.

On the environmental impact and mitigation, we will look at where we can carry out village improvement schemes or urban village improvement. If there is something of significance lost in a particular area, we will see if we can mitigate that by providing improvements in another area close by. We will set aside some of the budget to do that but it is only when the detail is seen-----

Chairman: I agree.

Ms Anne Graham: We will resort to CPOs if required. The level of funding that has been bandied about is higher than we would have put forward. We had said that it would be in the tens of thousands in compensation per property but it is based on the location and value of the property and the extent of what is being purchased.

What we were looking at and what is being proposed today is the core bus corridor network. That did not come out of the ether. It was always planned as part of the strategy for the greater Dublin area and these routes were identified in the strategy. When the strategy was being developed, the local authorities were very much involved. The corridors would always have been identified as the core ones that need improvement in terms of the bus infrastructure.

I refer to the network issues. This is part of the BusConnects programme. The latter is a programme of works of which the bus corridors is one element. The network is another important part of it and we will undertake consultation on that. To whatever extent we can, we will engage with the committee before that consultation begins. There are a number of elements which are complementary but which all support each another. One way or another, whatever the network is, we need to improve bus journey times on these core corridors. Doing so will benefit the entire network of services and we need to make it attractive so that more people will use the bus and public transport and that those who currently use cars will transfer to buses. That is the only way to do it. We have a limited amount of road infrastructure available for public transport. We have budgets setting out what we can do for the next ten years and what we are putting forward for discussion is whether this is the best way forward for our bus network for the future.

Senator Kevin Humphreys: On a point of clarification, Ms Graham will come back to the committee regarding meetings and other issues. Will she, however, come back to me on equality of access? Sports clubs, schools and residents did not have an opportunity to present their

queries. Will she come back to me in writing on that matter?

Chairman: Every member's comments will be noted.

Senator Kevin Humphreys: The question was addressed to the Deputy as Chair of this committee.

Chairman: Of course. The committee will get the replies and we will ensure that they are passed on.

Senator Kevin Humphreys: I am happy that Ms Graham will answer me directly on the questions to which I refer. However, I am asking the Chair about equality of access in the context of the committee's consultation process. Sports clubs, schools and community groups did not have access to the committee during that process. I ask the Chair to explain in writing why that happened and to guarantee that it will not happen again in circumstances where we might be receiving a presentation on a major infrastructure project.

Chairman: Members wrote to the committee and the committee agreed to their suggestion. If the Senator has a proposition, he should send it to the committee which can then discuss it. I will certainly support him in that regard.

Senator Kevin Humphreys: I have served on a number of committees and I know that when both sides are impacted upon, both sides should be allowed to make presentations.

Chairman: Of course. I have no issue in that regard. It is a matter for the committee. I looked at a television screen earlier and I am aware that our guests, having already appeared at another committee meeting, have been here for five or six hours. I thank them for attending. They are doing an excellent job, notwithstanding current difficulties. I also thank them for their professionalism.

Ms Anne Graham: I thank the Chairman for his kind words.

Chairman: I propose that we suspend proceedings for ten minutes.

Sitting suspended at 4 p.m. and resumed at 4.20 p.m.

Disqualified Drivers: Discussion

Chairman: I must remind members to switch off their mobile phones completely. I apologise to our witnesses for the delay. Our earlier hearing went on for longer than anticipated. I welcome the witnesses and appreciate that they waited to make their presentation on this important issue.

We will consider the current situation pertaining to the licences of those who have been disqualified from driving. In this regard, I welcome Ms Moyagh Murdock, chief executive officer of the Road Safety Authority who is accompanied by Mr. Michael Rowland and Mr. Declan Naughton. I welcome Assistant Commissioner David Sheahan and Superintendent Con O'Donohue from the roads policing and major events management division of An Garda Síochána

I draw the attention of witnesses to the fact that by virtue of section 17(2)(l) of the Defa-

mation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to so do, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable. Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable.

I invite Ms Murdock to make her opening presentation.

Ms Moyagh Murdock: I thank the Chairman for the kind invitation to address the joint committee on the matter of driving licences and disqualified drivers.

The disqualification of drivers is an important road safety measure. It helps safety on our roads in two ways, first, by keeping dangerous drivers off our roads and, second, it has a deterrent effect of possible disqualification which reduces the risk of drivers engaging in bad behaviour. In that regard the proper administration and enforcement of driver disqualification is critical to safety on our roads. The disqualification of drivers and the enforcement of the various provisions is a shared responsibility of the Road Safety Authority, RSA, the Department of Transport, Tourism and Sport, the Courts Service and An Garda Síochána.

For the information of members it might be helpful initially to describe the process that leads to a driver being disqualified. Essentially, there are two routes to disqualification, one is by accumulating seven penalty points in the case of a learner or novice or 12 penalty points within a three-year period in the case of a person who holds a full driving licence. The second is by way of a court disqualification on being convicted of an offence for which the penalty involves disqualification from driving. There is also a lesser known process known as a special disqualification order where a court order is sought to disqualify a driver, usually on the basis of not being medically fit to drive. This occurs infrequently, with only a handful of such cases being taken each year.

Once the disqualification is confirmed, the information is updated on the national vehicle driver file, NVDF, which contains the driver record and is operated by the Department of Transport, Tourism and Sport. The updating of the driver record is initiated in the following circumstances: following notification from the Courts Service to the RSA via the national driver licence service, NDLS, where the disqualification results from the court disqualification; following notification by An Garda Síochána to the Department's driver and vehicle computer services division, DVCSD, in Shannon, of the payment of a fixed charge notice for certain drink driving offences or where the accumulation of penalty points reaches the threshold for disqualification; following notification by the Courts Service of a conviction for a penalty points offence to the DVCSD where the accumulation of penalty points reaches the threshold for disqualification. In each instance, the driver is written to by either the Courts Service or the RSA and informed that the licence must be surrendered to the NDLS within 14 days of the disqualification taking effect. When the licence is surrendered the NDLS updates the driver record to reflect the licence has been received. If it is not received, no amendment is made.

Recent media reports suggest that the number of licences surrendered is at a low level and this is borne out by the available statistics. The table provided sets out the statistics and these

indicate a very poor level of compliance. We can see for the year 2017 that just one in six of those disqualified surrendered their licence. It is a legal requirement for drivers who are disqualified, whether by the courts or by exceeding the penalty point limits, to return their licences to the licensing authority, the Road Safety Authority. It is an offence not to return a licence following disqualification. The penalty for non-return of a licence on disqualification is a fine up to a maximum of €1,000 for a first offence, and up to €2,000 for a second or subsequent offence.

As members can see from the table, only a relatively small minority comply with this requirement. In 2017, some 9,449 drivers were disqualified by the courts, but only 1,289 surrendered their licences. There are no doubt a myriad of reasons for this, including the fact that in some cases the driver does not hold a licence in the first place. However, the level of compliance is entirely unacceptable and demonstrates a disregard and disrespect by those individuals for road traffic legislation. Clearly, there has not been a strong culture of surrendering a licence in this country.

I contrast this with the position in Northern Ireland. I know from engaging with the Driver and Vehicle Agency, also known as the DVA, that it is the norm to surrender a licence in Northern Ireland. No doubt this is attributable to the strong security presence during the Troubles when vehicles were frequently stopped and documents demanded which created a culture of compliance. Compliance with this element of road traffic legislation in our nearby jurisdiction is also mirrored in the other areas of road safety as we know such as zero tolerance of a learner driver in Northern Ireland driving unaccompanied. While the legislation in both jurisdictions is relatively similar, attitudes and behaviour are very different. It should be noted that the mechanism for surrendering a licence appears to be less cumbersome in that it is surrendered to the court prior to the court hearing and certainly on conviction. It is then transmitted to the licensing authority.

In this jurisdiction, the licence is not retained in court. Rather, the driver is asked to post it to the licensing authority. The rationale for this approach is that there is a period allowed for the driver to appeal a conviction. In the North, they hold on to the licence while the appeal takes place. There is no legal provision in this jurisdiction to provide for the courts to retain the licence.

At the same time, it is important to bear in mind that the matter of greater concern is whether people are driving while disqualified. Non-return of licences cannot be taken as a proxy measurement for those driving while disqualified. A person who has retained his or her licence may not be driving, while a person who has returned the licence, even to keep his or her head below the parapet, may continue to drive. The penalty for driving while disqualified is a fine up to a maximum of €5,000 or a prison term of up to six months or both. The low surrender rates naturally beg the question as to whether those who are disqualified continue to drive while disqualified. We know for sure that some do because we have data that show 84 convictions for driving while disqualified in 2017. Naturally, as CEO of the Road Safety Authority, this is a very serious concern for me and is another challenge in keeping our roads safe.

This brings us to the question of enforcement of the licence surrender process and the general disqualification rules. This is primarily a matter for An Garda Síochána, but requires a significant input from the RSA and the Department of Transport, Tourism and Sport. The Garda Síochána has access to the driver record and is able to see whether a driver is disqualified and whether the licence has been surrendered in a particular case. However, this information is not easily accessible at the roadside during enforcement activities. As the Garda does not currently have the technology such as mobile devices to access the database files in real time, this inhibits

effective detection of offenders.

To prosecute a driver successfully for failure to surrender a licence having been disqualified, the RSA would most likely have to have a representative in court alongside the Garda to give evidence on behalf of the RSA on the failure to surrender the licence. The RSA would need significant resources to do that. The Garda would also need significant resources to prosecute the thousands of cases of failure to surrender licences.

I understand the Garda has many priorities but one of my main responsibilities is to make the case for the appropriate resources, be they personnel or technology, to be allocated to road safety matters in An Garda Síochána. I have been on record in recent times to express the dissatisfaction of the RSA that the Garda roads policing unit has not been staffed or prioritised to the levels committed to. I continue to raise this directly with the Garda at the highest level and I have also expressed my concern to the Policing Authority about this matter. Clearly, if the roads policing unit is not at core strength, the ability of the unit to enforce the law is diminished and drivers who should not be on our roads may come to believe there is little chance of their being detected. The visible presence of gardaí with smartphone look-up capability on our roads is the measure that will do most to reduce death and injury on our roads. It would also be the best use of the limited resources available to ensure targeted effective and smarter enforcement.

As regards the specific issue of how we improve the compliance levels so that more disqualified drivers surrender their licences, I think all the stakeholders should look at a number of measures which I will now set out. The principal purpose of licence surrender is to prevent drivers from continuing to drive while disqualified. Members will be aware that the RSA has explored the possibility of publishing lists of disqualified drivers. The purpose of this initiative would be to bring public pressure to bear on disqualified drivers to ensure they would not drive and be a danger on our roads as well as deterring them from committing the offences in the first instance that leads to disqualification. While there are legal and data protection impediments to proceeding with publishing such a list, we believe that the spirit of the proposal continues to have significant merit and we have more work to do to satisfy data protection requirements and to meet general data protection regulation, GDPR, requirements.

As part of this, we are exploring the possibility of creating an information portal where employers who have employees driving for work would, with appropriate privacy protections, be able to access their employees' driver records. This would be a progressive step, especially in keeping professional drivers of buses and trucks who are disqualified off our roads. We are aware that they have been guilty of this offence.

It is clear that the greatest impact can be made by enhancing enforcement capabilities of the Garda to detect disqualified drivers who drive while disqualified more so than pursuing and prosecuting those who do not surrender their licences. The RSA is aware the Garda has been developing an initiative that will see a specific focus on disqualified drivers including the need to surrender the licence. I understand that the Garda is about to roll out this initiative which will allow it to extract the specific information on driver disqualification from the driver record and distribute it directly to Garda divisions so that the information is known to local gardaí without having to access the driver record. This should help target offenders and give more focused information on the ground and enable enforcement to take place in a proactive fashion.

I am satisfied that the legislation is adequate for both the offences being discussed here today, that is, the non-surrender of licences when disqualified from driving and driving while disqualified, along with the penalties prescribed therein, and that the necessary powers have

been given to the Garda to deal with the issue effectively. The necessary funding and resourcing must also be in place, however, to enforce and change attitudes and behaviour.

The RSA acknowledges and fully supports the Garda modernisation and renewal programme commitment to maximise the potential of technology. In practice, this means that a garda will have access to all systems needed to undertake his or her duties on his or her person. It also commits to the expansion of systems such as the automated number plate recognition, ANPR, system and the creation of watch lists. There is no reason such lists should not include the vehicles owned by disqualified drivers. In our regular interactions with the senior Garda roads policing management, the RSA has affirmed a commitment to support in whatever way it can An Garda Síochána in the development and roll-out of smart mobile technologies.

I acknowledge that there is an issue as regards the surrender of licences, the statistics do not lie. If all stakeholders work together, however, we can make progress in resolving the issue.

I will touch briefly on broader road safety matters. Last year was the safest year on record and we are making progress. I am afraid the position today is that we have an increased level of fatalities as against the same period in 2017. Seventy-six people have died on our roads, an increase of five on the same period last year. I appeal to all road users, as we enter the holiday period, to be extra vigilant. There are greater levels of traffic on our roads at this time of year, with people driving on roads in areas with which they are not familiar. Each one of us can take simple steps that will make our roads safer. Almost all collisions are preventable. It is up to each individual to change behaviour. We will reverse the current spike and trend in the past month and will reduce the number of fatalities on our roads.

Chairman: I thank Ms Murdock for her submission. I acknowledge the tremendous work that both the Road Safety Authority and the Garda Síochána are doing in making our roads safer for everybody.

It is unacceptable that so many drivers who are disqualified are on the roads. Sadly, more people have died on our roads this year compared with last year. That is also unacceptable. I fully support the initiatives the Garda Síochána and the Road Safety Authority are taking to make our roads safer. The Oireachtas needs to provide legislation that will make the roads safer because one death is one too many.

Ms Moyagh Murdock: Yes.

Chairman: I have a question, but I do not expect to receive an answer to it now. When I carried out some research in preparation for this meeting, I discovered that the RSA had research that showed that between 11 and 14 people died every year as a result of disqualified drivers driving on the roads. That is an appalling statistic. Will the delegates give us more data on that aspect?

Ms Moyagh Murdock: We looked at that research as part of our preparation for this meeting. It is a sad fact that a small number of disqualified drivers have been involved in fatal crashes.

Chairman: The percentage quoted was 7%.

Ms Moyagh Murdock: Yes. In 2017 there were two disqualified drivers involved in two fatal crashes. In the past three years ten disqualified drivers were involved in fatal crashes in which they either killed themselves or other innocent people. Twelve people were killed by

them.

Chairman: The percentage I quoted was probably related to an earlier period. Were 7% of accidents caused by people who had been disqualified from driving?

Ms Moyagh Murdock: Yes. That figure pertained to the in-depth pre-crash research we conducted for a five-year period. The Chairman is correct to say 7% of the people involved in fatal crashes had been disqualified from driving.

Chairman: Is that a huge proportion?

Ms Moyagh Murdock: Yes.

Chairman: Of all of the drivers on the roads the number of disqualified drivers is small, yet they cause a lot of damage.

Ms Moyagh Murdock: Yes, they have a devastating effect.

Chairman: I call on the assistant commissioner, Mr. David Sheahan, to make his opening statement.

Mr. David Sheahan: I thank the Chairman for the invitation to address the joint committee on the matter of driving licences and disqualified drivers. An Garda Síochána is committed to improving road safety and reducing the number of deaths on the roads in line with the Government's road safety strategy for the period 2013 to 2020. It works hard with all stakeholders to achieve this target. Last year was the safest on record on the roads. A total of 157 people lost their lives on the roads compared with 186 in 2016. However, that is 157 deaths too many.

The 2017 road safety performance index of the European Transport Safety Council, ETSC, shows that Ireland has improved its position and moved from fifth to fourth in the EU member state rankings for road safety. It had the fourth largest decline in the number of road deaths among the EU 28 between 2016 and 2017. However, the figures this year so far have been disappointing, with an increased number of fatalities compared to the same period last year. I presume Ms Murdock submitted her document yesterday. I can confirm that, as of today, as many as 76 people have died on the roads, an increase of four on the figure on the same day last year.

An Garda Síochána views the enforcement of road traffic legislation and the subsequent disqualification of drivers as important aspects in improving road safety. Section 38 of the Road Traffic Act 1961, as amended by section 12 of the Road Traffic Act 2006, created the offence of driving without a driving licence and, on summary conviction, imposed a fine not exceeding €1,000 and, in any other case, a fine not exceeding €2,000. Section 38(5) of the Road Traffic Act 1961, as amended by section 12 of the Road Traffic Act 2006, provided for an increased penalty for a person summarily convicted of the offence of driving without a driving licence and who, at the time he or she committed the offence, was disqualified from holding a driving licence. He or she is liable to pay a fine not exceeding €5,000 or be imprisoned for a term not exceeding six months or both.

Additional powers were provided for An Garda Síochána, allowing the arrest of persons who drove while disqualified, under sections 6(b) and 6(c) of the Road Traffic Act 2014 which took effect on 22 June 2015. In terms of the latter offence, advice was received from the Director of Public Prosecutions that there was no separate offence of driving while disqualified. Section 38 creates an offence of driving without a licence. Section 38(5) provides for a more

severe penalty for driving without a licence during the period of disqualification. However, the offence remains one of simply driving without a licence.

Section 40(2) of the Road Traffic Act 1961, as amended by section 59 of the Road Traffic Act 2010, created an offence for the driver of a mechanically propelled vehicle who, following a demand from a member of An Garda Síochána, failed or refused to produce for inspection a driving licence. If the driving licence is not in the possession of the driver at the time of the initial demand, a further demand is made to produce his or her licence at a Garda station of his or her choosing within ten days. If this demand is made on foot of a fixed charge notice, a record of it is noted in the fixed charged processing system, FCPS, application which is managed by the Garda Information Services Centre, GISC. Procedures are in place to ensure all demands are followed up. When documents are not produced within the allotted period, appropriate offences are raised and summonses issued.

When a demand is made that is unrelated to a fixed charge notice, a record of it is only created on the police using leading systems effectively, PULSE, system when documents are produced. The member of An Garda Síochána will check the PULSE system for a record of production. Where no such record of production is found, the member issues proceedings against the person concerned.

In the years 2011 to 2017 An Garda Síochána initiated the following prosecutions of drivers who had driven without a licence. The numbers of prosecutions are as follows: 28,405 in 2011; 25,117 in 2012; 21,606 in 2013; 20,801 in 2014; 20,004 in 2015; 20,966 in 2016; and 23,309 in 2017. Each year close to 10,000 drivers are subject to disqualification, either as a result of a prosecution taken by An Garda Síochána or an accumulation of penalty points for offences detected. On average, there are 20,000 disqualified drivers at any one time.

Prior to receiving advice from the Director of Public Prosecutions, the numbers of prosecutions for driving while disqualified were as follows: 1,660 in 2011; 1,793 in 2012; 1,879 in 2013; 1,879 in 2014 - I suspect that figure is a misprint - and 1,561 in 2015. A change was made in 2016, which has resulted in only three prosecutions. Unfortunately, I cannot produce the figure for 2017 because the system was changed.

To pick up on what Ms Murdock said, the numbers of fatal collisions between 2014 and 2017 which involved a disqualified driver or a driver who had no licence were as follows. In 2014 there were 179 collisions, five of which involved a disqualified driver and 18 a person without a licence. In 2015 there were 155 collisions, of which three involved a disqualified driver and nine a person driving without a licence. In 2016 there were 175 collisions, of which six involved a disqualified driver and 11 a person without a licence. In 2017 there were 144 collisions, of which two involved a disqualified driver and six a person driving without a licence.

Under the provisions of road traffic legislation, there are a number of disqualification orders, of which the committee should be mindful. First, there is a consequential disqualification order which results from the provisions of section 26 of the Road Traffic Act 1961, as amended. A person is convicted of an offence specified in the legislation which mainly revolves around dangerous or drink driving. In this instance, the court shall make an order declaring the person to be disqualified from holding a driving licence. A consequential disqualification order operates to disqualify the person to whom the order relates from holding any driving licence whatsoever during a specified period. As a general rule, a consequential disqualification order comes into operation 15 days after it is made. I will go into more detail shortly.

Second, there is an ancillary disqualification order which comes into force when a person is convicted of an offence under the Road Traffic Act 1961 or otherwise while driving a mechanically propelled vehicle or any other vehicle, other than an offence in relation to which a consequential disqualification order applies. In other words, if somebody is involved in a crime and one wants to link it with the car. In these cases an ancillary disqualification order shall disqualify the convicted person either from holding any driving licence whatsoever or a driving licence in respect of a class or classes of mechanically propelled vehicles during a specified period. An ancillary disqualification order generally comes into operation on the 15th day after it is made. I will come back to this point.

Special disqualification orders are catered for under section 28 of the Road Traffic Act 1961, as amended. If an officer of An Garda Síochána or an appropriate licensing authority has reasonable grounds for believing a person who is the holder of a driving licence is, by reason of a disease or a physical or mental disability, unable to drive any mechanically propelled vehicle or any class or classes of mechanically propelled vehicles covered by the licence, such officer or licensing authority may apply to a justice of the District Court for an order declaring such a person to be disqualified from holding a driving licence until he or she produces to the licensing authority a certificate of fitness. The same system applies to people we believe to be incompetent. I do not intend to read the section of our presentation dealing with this matter. In these cases special disqualification orders come into operation immediately. The court, in making such an order, may direct the suspension of its operation pending an appeal.

Consequential or ancillary disqualification orders come into operation on the 15th day after they are made, as provided for in section 30 of the Road Traffic Act 1961, as amended. However, a court may postpone the operation of such an order for a period of up to six months if it is satisfied that a special reason which it shall specify when postponing the operation of the order related to personal circumstances, including the nature of employment, has been proved by the convicted person in a particular case. If a consequential or ancillary disqualification order or, where the order is related to a conviction, that conviction is the subject of an appeal, notice of which is lodged within 14 days of the making of the order, and the convicted person has duly entered into a recognisance to prosecute the appeal, the operation shall stand suspended pending the appeal.

The effect of these provisions is that a licence holder, in respect of whom a consequential or ancillary disqualification order is made, may continue to drive any class or classes of mechanically propelled vehicles covered by such licence for 14 days after the order has been made and beyond where an appeal notice, as set out, has been lodged, or where the court has postponed the operation of such an order for a special reason related to the personal circumstances of the licence holder which has been proved. Special disqualification orders come into operation immediately when they are made. If an appeal is brought against a special disqualification order, the court making the order may direct the suspension of its operation pending the appeal and, as a consequence, the person may continue to drive any class or classes of mechanically propelled vehicles covered by such licence. A person who is the subject of a consequential, ancillary or special disqualification order shall, within five days of the coming into operation of the order, deliver his or her licence, if any, to the officer of the court which made the order and that officer shall send it to the licensing authority. This is covered by Part 9 of SI 537 of 2006 which is also known as the Road Traffic (Licensing of Drivers) Regulations 2006.

The final aspect of this matter with which I want to deal is disqualification by reason of penalty points. Penalty points are recorded against a driving licence by the Department of Trans-

port, Tourism and Sport on notification of payment of a fixed charge notice. Approximately 73% of all fixed charge notices are paid. Penalty points are also recorded when a conviction is handed down in court in respect of a penalty points offence. If a fine is paid by the offender, the licence information is provided at the point of payment. The licence document must be produced and cross-checked against the offender's details. Notification of the payment and licence number is passed to the Department of Transport, Tourism and Sport which assigns the appropriate number of penalty points to the specified licence. If a fixed charge notice is not paid, the case proceeds to court. The summons document issued by the Courts Service contains an instruction to the offender to bring his or her driving licence to court. If the person is found guilty in court, the details of the conviction, including the driving licence details, are passed directly to the Department of Transport, Tourism and Sport by the Courts Service. If a member of the public fails to produce his or her licence in court and the Courts Service is unable to provide licence details for the Department of Transport, Tourism and Sport, it is necessary for the court to provide An Garda Síochána with a certified copy of a court order in relation to the offence and notification certifying that the driving licence was not produced to the court in order for a prosecution for non-production to be taken. If penalty points are endorsed on the licensing record of a person and, in consequence, the total number of penalty points standing so endorsed equals or exceeds 12, or equals or exceeds seven in the case of a person who, at the time the points are endorsed, is a learner or novice driver, the person shall stand disqualified for a period of six months, beginning on the appropriate date for holding a licence. In such circumstances, the licence held by the person in question at the beginning of the period shall stand suspended accordingly. This disqualification by reason of penalty points is covered by section 3 of the Road Traffic Act 2002, as amended.

The notification by the RSA to the person concerned of the endorsement of penalty points and that person's subsequent disqualification also directs the person to surrender his or her driving licence to the RSA not later than 14 days from the appropriate date. This is governed by section 5 of the Road Traffic Act 2002, as amended. While it is a criminal offence not to surrender one's driving licence, if disqualified, the proof required to sustain a prosecution is not insignificant. Evidence to sustain a prosecution would inevitably include evidence that the person held a valid driving licence at the time, was disqualified, aware of the disqualification and the requirement to surrender the licence and had failed to surrender it. This would, undoubtedly, require the involvement of Garda personnel in each prosecution, as well as evidence from RSA personnel and, possibly, Courts Service personnel.

Each week An Garda Síochána receives a file containing driving licence information from the driver and vehicle computer services division of the Department of Transport, Tourism and Sport which is known as the DVCS and based in Shannon. Garda personnel can use the Garda PULSE system to search by driving licence number, or by name and date of birth, to retrieve certain information from the DVCS file, including an indication that a driver is disqualified. While this facility is very beneficial, the search of the PULSE system must be requested over the Garda radio network by a Garda member on the ground back to the communications room. Depending on the priorities of the communications room at the time, it can take some time to execute this request and provide a result for the Garda member. As a consequence, such searches are not carried out as often as would be desirable. In addition, the DVCS, on behalf of the RSA, notifies An Garda Síochána via the Garda National Roads Policing Bureau if a driver who has been disqualified as a consequence of the accumulation of penalty points has failed to surrender his or her driving licence to the RSA. Copies of these notifications are transmitted to local divisions when Garda personnel are seeking to retrieve driving licences. In addition, appropriate information on the disqualification is recorded on the PULSE system.

The practice of submitting a driving licence file after a driver has been disqualified or given penalty points originates from the existence of the old paper-based licence. As the licence was paper-based, the practice was to have the licence physically endorsed with a stamp on it stating the person had been before the courts and some endorsement or disqualification had been imposed on the holder of the licence. This was good practice at the time because the system was entirely paper-based and gardaí had limited means of inquiry regarding the licence. For the purposes of the meeting, I am showing the committee my own licence to show members what we are talking about.

Deputy Kevin O’Keeffe: Mr. Sheahan is showing a bad example; he should have the new one.

Mr. David Sheahan: Hold on one second.

Chairman: The ten years must not yet be up.

Mr. David Sheahan: Yes. With the introduction of penalty points, the practice of physically endorsing the physical licence ceased and the penalty points were placed on the driver’s record rather than the actual licence. The submission of the licence was an administrative function which assisted in the identification of the correct record on which the penalty points were to be recorded. For the benefit of my friend, I point out that, in more recent times, the small ID card driving licence was introduced and this obviously has no capacity to have either a disqualification or penalty points recorded on the actual licence. It is simply used to identify the driver, the class of vehicle the driver is licensed to drive and the correct record on which to record the penalty.

What is crucially important is that the imposition of a disqualification or the recording of penalty points is not reliant on the person submitting the licence. Regardless of whether the licence is submitted, the penalty is recorded, which is the important piece of the process. The real vulnerability and concern in this system is that the licenceholder can present his or her licence to a garda or any other person, perhaps an employer, who, if not educated in the matter, may think that the licence presented is both a clean and valid licence. The option of chasing after people and demanding that they forfeit their driving licence and the pursuit of a prosecution may be a futile exercise. The serious offence is not the non-surrender of the licence but, instead, the driving while disqualified or the fraudulent declaration regarding the status of the licence. The solution to this lies, first, with an understanding that the licence is a means of identifying the driver and the driver record and, second, that a garda has access to the record behind the licence. In the case of a garda, this access has to be immediate.

As can be seen in the submission, this is a complex issue and compliance levels, with drivers producing their driving licence on demand or surrendering their licence following endorsement, fall far short of expected levels of compliance. As a short-term measure, the Garda IT section is developing a report that will allow Garda personnel on the ground to search for disqualified drivers in a particular geographical area. This will assist local Garda personnel in monitoring disqualified drivers to ensure they are not driving while disqualified.

Much of the narrative around the surrender of driving licences by disqualified drivers appears to indicate a common perception that by surrendering a driving licence following disqualification, the disqualified person will not drive. Unfortunately, what happens in practice is somewhat different. The surrender of a driving licence is not a reliable indicator that a disqualified driver will not drive, nor is the failure to surrender a driving licence a reliable indicator that

a disqualified driver will drive. From a road safety perspective, a greater deterrent is required. There is a provision in the First Schedule to the Road Traffic Act 2002, at reference No. 6, which is an enabling provision for the Minister of Transport, Tourism and Sport for declaring the non-production of a driving licence on demand as a penalty point offence. My belief is that this would bring about a change in culture in terms of peoples' attitude to possession of a driving licence and the significance and importance of having a driving licence.

The most effective deterrent to driving while disqualified is that Garda personnel can, by means of a user-friendly mobile device at the side of the road, check if a person is disqualified or not. Modern mobile digital data devices, when applied to policing, afford a wide range of opportunities to a police service to improve the service they deliver to the public and increased visibility. With a mobile device, a member can connect to Garda systems to read and capture policing data and, effectively, become a mobile police station.

An Garda Síochána is currently conducting a pilot in Limerick to uncover the most appropriate means of informing and guiding future investment in the latest mobile technology solutions for An Garda Síochána. In the six months of the pilot, the users of the new Garda traffic app have noticed that detection of offences, such as non-payment of motor tax, driver penalty point disqualifications and stolen property, have improved as a direct result of having access to the app with instant details from PULSE. The member can now check on the side of the road without contacting or returning to the station and can increase visibility by remaining on the roadside. There is also a tangible change in the attitude of the public when they see that the member now has a smart mobile data device, ranging from more respect to quicker admission of guilt than may have been expected previously.

By providing the member with access to real-time information at the scene, use of the current driving licence insurance production, DLIP, process could be greatly reduced. Making available current driving licence, road tax, NCT and insurance information would make roadside checks and issuing of fixed charge notices more efficient. This would enable a member to make informed decisions and detect deliberate attempts to evade prosecution by providing false or misleading information. It was for this reason that a forward-focused solution was sought, rather than getting tangled in the historical problem that existed. Of course, this will require investment but it is an investment in our core strategy of saving lives on our roads. If members of the committee wish to see the app, I have it with me and I can show them how it works.

Chairman: Can Assistant Commissioner Sheahan demonstrate it now?

Mr. David Sheahan: I can.

Chairman: Thank you. How expensive is it per unit?

Mr. David Sheahan: We have not gone through the costings and that is what we are currently working on. To demonstrate, as committee members can see, if I turn on the app and look for a person's driving licence, what comes up in front of me is the penalty point disqualification. Therefore, the minute I stop the person and put in his driving licence number, the app tells me whether he is disqualified - for example, a red bar will come up on the screen if there is a penalty point disqualification. In another example, the app will tell me there is a penalty point disqualification and a non-surrendered licence, and can give me those two pieces of data instantly at the side of the road. In such a case, I do not have to look beyond that and I can arrest the person for the offence.

The next example shows information from a recent check in Limerick. When we stopped a person, the app showed the holder of the driving licence was deceased and we discovered the driver was using a licence held by an already deceased person. In the next example, it was found the person was ineligible to have the licence and we were able to tell that immediately. Finally, a man produced a driving licence to us and when we put it into the system, it came back listed as “unknown”. We were able to tell instantly that it was a forgery that had been handed to us.

Chairman: Can the app be used on any Garda mobile phone?

Mr. David Sheahan: Yes. The phone is the same as any other mobile phone but there is a Garda site on it which is encrypted, so the information we get is encrypted. It has the same level of governance as we would have on the PULSE system, for example, if I was using the PULSE system in my home station. What it does for us is bring the information straight to the garda on the side of the road in order that he or she can deal with the issue there and then, without needing to go back to the station.

My fear in this respect is that I could be operating a checkpoint on the road today, and somebody could hand me a licence and I would say everything is perfect and wish the person goodbye. However, if I can check it on the side of the road there and then, I will know exactly whether the person is disqualified or not, irrespective of whether they have surrendered their licence or not.

Chairman: The cost would be for the phone itself.

Mr. David Sheahan: The cost would be the phone and its running costs.

Chairman: I presume it would be a Garda issue phone and there would have to be a special need for it.

Mr. David Sheahan: These phones are personal issue phones that are given to members, who sign for them. There is a whole series of governance issues around that to prevent abuse of the phone when it is used in public.

Chairman: It could be used for other Garda activities.

Mr. David Sheahan: To be honest, this is only the first part of the process. Where I would see this going in the near future is in regard to how we can issue fixed charge notices directly from the phone to the system. Instead of going back to the station and writing up my summonses or fixed charge notices, I could do that at the side of the road so that, literally when I press “send”, they are on the system.

Deputy Kevin O’Keeffe: What is the turnaround period for the driver who hands over the licence? Is it five minutes or ten minutes?

Mr. David Sheahan: It is instantaneous. I would have it done in a second.

Chairman: When the garda puts in the data, it will search the database.

Mr. David Sheahan: If the Chairman has his driving licence with him, I can show him how it works when we are finished. If he is willing to do it, I can put in the number and I assure him the information will be back to him within seconds. If I have to ring the station, however, I would have to engage with a call taker on the far side. Depending on the priorities in the station,

it could take five or ten minutes before it comes back.

Chairman: This presentation has been extremely helpful. I want to understand one thing. The people who are court disqualified are people with either drink-driving or dangerous driving convictions, which are very serious offences. Penalty points are cumulative but it is also very serious where one goes over the seven. I have just checked the data in the Courts Service report for 2016 and the courts issued 7,600 orders in respect of drink-driving. The vast majority of those people are drink-drivers or are dangerous drivers which is why it is important that when they are put off the road, they stay off the road. Anything we can do to help An Garda Síochána in that regard, we will.

Ms Moyagh Murdock: The 7% of disqualified drivers involved in fatal crashes all had alcohol on board and no insurance. They are the most serious offenders and they generally have other offences at the same time.

Deputy Catherine Murphy: People often say we need to legislate for something. If this session proves anything, however, it is that legislation on its own is not sufficient. What is key is how that legislation is implemented and enforced afterwards. A Bill going through the Dáil at the moment is being filibustered heavily. It is absolutely warranted and I support it, albeit the legislation will make a difference to a small number of people. However, we have just been told that 11 to 14 people per annum are projected to lose their lives over a three-year period. This is in the same ballpark in terms of its impact. I was shocked when I heard this on Sunday on the "This Week" programme.

The Road Safety Authority has provided the committee with statistics from 2014 to 2017, inclusive, and, to date, in 2018. It provided us with a number for court disqualifications. I presume those disqualifications relate to an individual disqualification in each case. It is not that the figure for 2015 includes active disqualifications from the year before. I take it they are each individual disqualifications.

Ms Moyagh Murdock: They are individual. At any point in time, there could be up to 22,000 active disqualifications. As the Deputy points out, these are new disqualifications in each year and there could be an overlap there.

Deputy Catherine Murphy: I have just counted up the figures from 2014 to 2018, inclusive, and got a total of 39,000. I presume there is some degree of repeat offending but it is unlikely to be a dominant group. Over four and a half years, 39,000 is-----

Ms Moyagh Murdock: There are quite a number of repeat offenders in there.

Deputy Catherine Murphy: Does the RSA collect that information?

Ms Moyagh Murdock: Yes. We have looked at it albeit it is a moving figure and I do not have it to hand to provide it to the committee right now.

Deputy Catherine Murphy: I do not understand how one can do the road safety job if one cannot ensure that enforcement happens.

Ms Moyagh Murdock: Clearly, the least of the worries of those people with repeat disqualifications is the physical act of surrendering a licence. They have gone out and driven again. Perhaps those people surrendered their licences and simply continued to break the law. That is a very valid point. The Garda needs the resources to enforce the current legislation, which is

there to be adhered to.

Deputy Catherine Murphy: I am all in favour of hand-held devices and using technology where appropriate. That is a very good idea although it would not capture everyone. When someone appears in court and has been excluded, would it be better to change the legislation to ensure the licence is surrendered there and then? If someone appears in court charged with a drink-driving offence and has been excluded because he or she was over the limit and there was an automatic consequence, is he or she not asked if he or she has a licence there and then, given that another offence is created if he or she is not licensed to be on the road in the first place? When the witnesses say people who appear in court may not have licences, who are we talking about?

Ms Moyagh Murdock: It could be someone who has never done a driving test and got a licence. There are a number of people in that group. It also includes people from outside the State who do not have valid Irish licences. The legislation was changed recently and amendments and regulations have been introduced. It is an offence to fail to produce one's licence in court. Sadly, that is not working at the level we want. People simply say they cannot find their licences. It is an offence to drive without possession of one's licence for checking. There is more than adequate legislation in place and the law has been changed to insist that people come to court with their licences. Some test cases were taken on that legislation whereby we were having difficulty applying penalty points to licences because people were appearing before judges without their licences. The courts are required to ask for the licence.

Deputy Catherine Murphy: Do they ask?

Ms Moyagh Murdock: Not in all cases. That is a fact.

Deputy Catherine Murphy: Is there a penalty for that over and above the penalty for the initial conviction?

Ms Moyagh Murdock: I am not sure what the penalty is.

Mr. Con O'Donohue: If the requirement is not made, there is no penalty against the judge for not asking. The legislation is framed to provide that if one is convicted of a penalty point offence in court, the judge will make a requirement of one. If the judge does not make the requirement of one, it just does not happen. That is the reality of it. If the judge makes that requirement and one does not produce the licence, there is provision in the legislation that the court will record the fact that the requirement was made and one did not comply. The current legislation we have is that for every penalty point offence, a person should present his or her licence. We need the support of the courts to get that implemented as extensively as possible. There is a slight lacuna in the legislation. If one is charged with a drink-driving or dangerous driving offence, there is no requirement on one to bring one's licence to court. It is only for penalty point offences.

Deputy Catherine Murphy: There is a gap in the law on that.

Chairman: If one is convicted, there is a mandatory disqualification.

Mr. Con O'Donohue: There is a mandatory disqualification but the person is not required to bring his or her licence to court. A person is required to bring his or her licence to court in respect of a penalty point offence.

Chairman: The law is an ass, in other words.

Deputy Catherine Murphy: There is a gap in the law in that regard. Are we talking about the District Court in the main?

Mr. Con O'Donohue: Primarily, yes.

Deputy Catherine Murphy: I presume the Road Safety Authority engages with the Judiciary on changes in legislation and things that are not happening.

Ms Moyagh Murdock: We engage with our parent Department and with the Courts Service on improving efficiency. We are working with the Courts Service and the driver and vehicle computer services division, DVCSD, of the Department of Transport, Tourism and Sport to automate the feed from the courts to provide the RSA with instant overnight feeds on outcomes and convictions from court cases. We want to get that on a real-time basis, as happens in the North of Ireland. At the moment, it is done by way of a monthly file to allow for the appeals process. We cannot be notified until that appeal window closes.

Mr. Con O'Donohue: There is one other issue with presenting the licence to the court. A person is not required to bring the licence to court for a non-penalty point offence. While a summons is a requirement to go to court, a person does not have to be in the court for the case to be dealt with. The court can deal with a case *in absentia*. A person who has been caught on camera, for example, for a speeding offence and who does not pay the fixed charge will receive a summons. If he or she does not turn up in court, the judge can still decide to deal with the case in the absence of the person. In those instances, there is no opportunity to get the driving licence.

Deputy Catherine Murphy: Legislation is slowly proceeding through the Houses but we are discussing here the amendment known as the "Clancy" amendment, which deals with learner drivers. In addition to that specific case are figures being collected for accidents involving learner drivers that have resulted in serious injuries or fatalities?

Ms Moyagh Murdock: Yes. Of the fatal crashes where alcohol was a factor during the period from 2008 until 2012, as I recall, 15% were learner drivers. Alcohol was a factor, they had no insurance and they were learner drivers.

Deputy Catherine Murphy: What did the Road Safety Authority, RSA, do to highlight that issue prior to the appalling tragedy suffered by the Clancy family?

Ms Moyagh Murdock: Obviously we fully support the Clancy amendment and we are fully behind the Minister for Transport, Tourism and Sport, Deputy Ross, in trying to bring the legislation forward. The law is clear in respect of what is permitted. There is a culture of non-compliance. In exactly the same way as some people do not surrender their driver's licence, there seems to be a *laissez-faire* approach, especially by parents allowing their children to drive unaccompanied. The RSA is involved in education and awareness, and we are trying to educate through the means for which we are recognised.

Deputy Catherine Murphy: Yes. According to a parliamentary question tabled by Deputy Thomas Broughan, 844 learner drivers were disqualified having reached the seven penalty points threshold. Only 263 of them surrendered their licences. I presume those drivers do not fall into a different category.

Ms Moyagh Murdock: No, they do not. They are also subject to the law requiring them to surrender their driver's licence but the greater offence was in driving unaccompanied or speeding and accumulating seven penalty points. We brought down the level of penalty points to ensure that at least there is less of a window during which these people could engage in risky behaviour. We also introduced penalty points for the non-display of L plates for learner drivers and N plates for novice drivers. We have seen a big improvement in the display of these plates, but it is still an area where there is a lax attitude. The visible enforcement of this measure, where a garda can check the status of the driver's licence if he or she is a learner driver or a qualified driver, would be very useful.

Deputy Catherine Murphy: The figures provided by the RSA on the number of fatalities involving people who were driving while disqualified are for 2008-12. Is that correct?

Ms Moyagh Murdock: The 7% figure relates to the 2008 to 2012 period. The figures I mentioned earlier were more recent and refer to ten disqualified drivers who were involved in collisions that killed 12 people. The 12 fatalities may include the disqualified drivers.

Deputy Catherine Murphy: For which years are those figures?

Ms Moyagh Murdock: They are from 2015, 2016 and 2017.

Chairman: The same number of deaths is being addressed in the legislation.

Deputy Catherine Murphy: Yes.

Ms Moyagh Murdock: While we are confident of those figures, they remain provisional until the investigations are fully completed.

Chairman: They are the minimum.

Ms Moyagh Murdock: Yes, they are probably underestimated.

Deputy Catherine Murphy: With regard to the use of handheld devices at checkpoints, all gardaí will be involved in road blocks and checks rather than only members of the traffic corps. Gardaí are not equally distributed around the State and some parts of the country have a very low ratio of gardaí to population. This impacts on the type of policing that occurs. County Meath probably has the lowest ratio of gardaí to population and Kildare has the second lowest ratio. These counties have considerably worse ratios than the national average, with one garda for every 650 people whereas the average is one garda for approximately 450 people. Even when handheld devices are used, it is a reactive type of policing because there are insufficient personnel to provide cover. Implementing this measure will become an issue in areas where there is inequality in the distribution of gardaí, in addition to resource issues. It may well be applied in some parts of the State where road checks can be down. Perhaps it will only be done by the traffic corps. How will this work?

Mr. David Sheahan: What we are trying to achieve, no more than the GoSafe vans, is have an equal distribution of members in areas where we know fatalities have occurred. We are doing some analytical work with a view to determining the numbers required in each county based on the locations of fatal road accidents and an aggregate number across the State. The roads policing unit contributes some 80% of all detections for road traffic offences. The aim of the next part of the pilot is to provide the road policing units with the devices in the next couple of months. There will be approximately 1,000 devices in operation. These units work full time

on roads policing and the device will capture about 80% of all the data, which is a significant amount.

Deputy Catherine Murphy: What is-----

Chairman: I have a question. Having discussed this issue with Deputies, including Deputy Declan Breathnach in my constituency, there are significant differences in Border areas. Will the witnesses comment on whether people from outside the jurisdiction believe they can operate with impunity when they are south of the Border? I do not know if this is the case but we believe this is part of the culture.

Mr. David Sheahan: There is that element of it, which we will have to tackle. Greater co-operation between An Garda Síochána and agencies in the North, while it has not decreased the problem, has certainly brought it to bay for the moment.

Chairman: Are additional measures required?

Mr. David Sheahan: It would be ideal if the same system operated North and South, with offences detected in the South counted in the North, and *vice versa*. That would have a significant impact. In the meantime, we are also trying to achieve a balance by ensuring the number of roads policing units along the Border is sufficient to cover the area.

Chairman: I hope that will reduce fatalities. I tabled a parliamentary question yesterday on an ancillary issue. The figures provided in the reply show the average fine for a person found guilty of driving without a motor insurance policy in 2015, 2016 and 2017 was €395, €388 and €377, respectively. Based on these fines imposed on those who are caught, it actually pays to drive without an insurance policy. Persons caught committing a road traffic offence are supposed to have their licences endorsed. If they do not present their licence for endorsement, they will often subsequently present it to their insurance company, even though it has been endorsed but the endorsement does not feature on the licence document. That is a major issue. Is there a profile of the type of person who is killing people by drinking and driving or engaging in dangerous driving? Can a profile be run on the typical offender in these cases?

Deputy Catherine Murphy: Chairman, can I ask my last few questions as I have to go-----

Chairman: We all have to go. I do not want to hold the Deputy up, but I have gone to the bother of inviting all these people today. If the Deputy wants to ask her questions, I have no problem with that.

Deputy Catherine Murphy: I will ask two quick questions. If one discovers, through the hand-held device, that somebody is disqualified, has a drink driving conviction and should not have a licence, what is the sanction? Can the car be taken from that person on the side of the road? I want to ask the Road Safety Authority whether or not one can restrict learner permits. The action plan refers to reducing the long-term reliance on multiple learner permits. Is that being implemented? Somebody cannot continue to get repeat learner permits.

Ms Moyagh Murdock: I will take Deputy Murphy's question first. We fully recognise it is not acceptable for people to apply for a driver test in order to renew their licence. We recently got sanction to employ an additional 67 driver testers on foot of the expectation that the Clancy legislation will come into effect shortly, hopefully tonight if that is possible. It is holding everything up. We have been involved in a big recruitment programme and we will be able to target these people effectively. We were - to be upfront about it - at risk of bringing it into disrepute if

we were making people come for tests and could not give them a test in an appropriate level of time. We welcome that sanction from the Department of Public Expenditure and Reform and the Department of Transport, Tourism and Sport and we will be moving ahead in ensuring that everybody who has reached the level of competency necessary to pass the test will be given that test in a prompt manner. We will also work to ensure that people who have been driving for a period of years without taking a test engage with a driver instructor, because they will fail the test if they come forward at this stage, having driven for such a long period of time.

The other question was for the gardaí.

Mr. David Sheahan: Section 41 allows for the seizure of the car, and that has been extended to cover a disqualified driver. Section 6 of the Road Traffic Act 2014 allows us to arrest the person whom we find driving while disqualified.

Deputy Catherine Murphy: I thank the witnesses.

Chairman: When the car is seized, is the car kept or can the person apply to get the car back?

Mr. David Sheahan: We seize the car, it is taken to a compound, and the person pays a poundage fee to get the car back.

Chairman: What is that fee? Is it a standard amount?

Mr. David Sheahan: It is approximately €125 for the first day and €35 for each day thereafter.

Chairman: I wish to ask a question about the profiled driver. Who are these people? What do they-----

Ms Moyagh Murdock: To return to the question about the driver test, we know with great certainty the people who will not show up for their test. They are generally over the age of 35 and have had three or four learner permits. We know those people and we are targeting them at the moment. As to who is the riskiest driver, our research shows that well over 80% of drink drivers are male and 75% of those involved in fatal and serious crashes were under the age of 35. We have gone further and done behaviour and attitude surveys which look at compliance with legislation on mobile phones, speeding, seat belt wearing and drink driving. The one common denominator among them all is that somebody who is detected for using a mobile phone is generally likely to have a litany of those other offences there. It is something that we have been working on with the Garda Síochána in terms of getting that message out. If a person is picked up for using a mobile phone, one will generally find some other offences in respect of that person.

Chairman: I have a question on naming and shaming. Years ago local papers were printed and everybody bought them, which no longer happens. One would see a list of people who would be convicted for road traffic offences, for drink driving or whatever. The witness is saying that one of the issues is data protection if one publishes the names of people who are convicted. How does that relate to people publishing names in newspapers? What is the difference?

Ms Moyagh Murdock: Court reporters are exempt from data protection regulations.

Chairman: Yes, that is very useful.

Ms Moyagh Murdock: However, we are in the process of finishing a very robust privacy impact assessment, which everybody is required to do under the GDPR regulations of May 2018. We started that early on. We conducted academic research on the effectiveness and legitimacy of doing this and because it has not been done anywhere else or in any other jurisdiction of which we know, there is no unequivocal evidence to say that it would not be beneficial to society. We have met the Data Protection Commissioner, and in her words, it may seem like a good idea but that does not mean that one can just go ahead and do it. We need to follow the protocols and do what the Data Protection Commissioner sets out. We have almost everything complete. We have the technical interfaces ready to go. I will be honest and say that the holding up of the legislation in the Dáil has meant that this is not going to be prioritised this year because the Office of the Parliamentary Counsel, OPC, the legislators and the Department staff are fully tied up trying to get this legislation through. It will be 2019 before we can see that come to fruition. We are fully committed to doing that and want to make sure that the legitimacy of what we are proposing cannot be challenged and we want to do it properly.

Chairman: Does anyone else wish to-----

Deputy Robert Troy: We have been waiting all evening.

Chairman: I know and appreciate that fully.

Deputy Robert Troy: I thank the witnesses for coming in today and apologise for keeping them waiting for so long but, unfortunately, we had two items on the agenda today. I wish to return to the point Ms Murdock finished up on in respect of the legislation that is going through the Dáil. I believe part of it is disproportionate, but I have had my say. I am totally opposed to the filibustering that is going on at the moment. In the opinion of the witness, what message is it sending to the people who have lost a loved one as result of a motor traffic accident? I would ask those engaged in this to refrain from doing it and to allow the Dáil, the democratically elected people, have their say on this legislation.

From what has been said here, the key aspect of any legislation is enforcement. What is the current strength of our traffic corps today?

Mr. David Sheahan: The strength of the traffic corps today is around 760 people.

Deputy Robert Troy: It is 760 people. Since when?

Mr. David Sheahan: Since when?

Deputy Robert Troy: Yes, because the most recent figure I received, by way of a reply to a parliamentary question, was 671.

Mr. David Sheahan: We put in an additional 87 people into the roads policing unit on 1 May. At the beginning of the third quarter of this year we intend to put in another 70, bringing the figure to 150 for this year alone. We will be running a competition before the year end to allow for another 100 people to be put into the roads policing unit for 2019.

Deputy Robert Troy: The current strength is 760 and it is due to increase to 830.

Mr. David Sheahan: It will not quite go to 830 before the end of the year. What is happening at the moment is that there are other competitions in the Garda Síochána regarding promotions from garda sergeant and we are likely to lose a number of personnel due to that. In addition, there are people who are at retirement age and may retire between now and then.

There will be a natural attrition in numbers in the next couple of months. What I am trying to do between now and the end of the year is to determine what that attrition rate is going to be and I will build that into the figures for 2019. Whatever I lose this year, I will put extra in from the competition for 2019.

Deputy Robert Troy: We are at 760. What is the target for the end of this year?

Mr. David Sheahan: I cannot give the Deputy a target for the end of this year because I have a target for 2020, which is to bring the figure up to between 1,000 and 1,100. We have already agreed. I do not have the exact figure with me but that is roughly our target for 2020, and I intend to reach that target.

Deputy Robert Troy: I hope so. There was a target agreed, according to the Minister for Transport, Tourism and Sport, Deputy Ross, last year that was not reached. I accept that the witness can only deal with the officers allocated to him. We were due to have an increase last year and we did not have it. That is a fact.

Mr. David Sheahan: In respect of the increase last year, that was held up because of an industrial relations issue relating to a competition we ran. There was supposed to be 75 last year and 75 this year. What I have done is that I have now front loaded all of those increases into 2018 and those 150 people will be in the traffic corps before the year end. The only difficulty that I have is the attrition rate due to promotions, retirements and people who have moved laterally in the organisation.

Deputy Robert Troy: I refer to the number of people who are disqualified or surrender their licence. There are ways one can lose one's licence. One can go before the courts for a driving offence, including drink driving, erratic behaviour, speeding, etc., or there is the accumulation of points under the penalty points system. The number of people who surrender their licences under the penalty points system is much higher than those who surrender them having appeared before the courts. Over the past four years, on average, only 12% of people who have lost their licences in court have surrendered them.

How many people were prosecuted in 2016 and 2017? I am not talking about the figures where the prosecutions commenced. What were the penalties?

Mr. David Sheahan: The difficulty I have with that is because of the way the legislation is framed, I am unable to disaggregate those prosecuted while having a driver licence against those who were driving while disqualified. The DPP's advice and instructions were that that if I bring a person to court for driving while disqualified, it is automatically implying to the judge that this person has a previous conviction. The rules of due process and fair procedures do not allow for that in this jurisdiction. Therefore, we had to row back. We can only prosecute a person for not holding a driver licence. Once a person is convicted of that offence, we can advise the judge as to his or her previous convictions. That is the process in the courts at the moment.

Deputy Robert Troy: How many were prosecuted for not holding a driver licence last year?

Mr. David Sheahan: In 2017, 23,309 people were prosecuted. That figure seems to be high but it would include, and I would have to go back and look at the figures individually for the Deputy, people who were too lazy to produce their driver licence and would produce it in the court and say they forgot to produce it. Bringing those prosecutions wastes a lot of court time and Garda time. That is why I made the point earlier on that it would be much better if these

people had their driver licences at the side of the road, so that we can check them there and then without the necessity of having to wait for ten days for them to produce them.

Deputy Robert Troy: What were the penalties for those 23,309 people prosecuted?

Mr. David Sheahan: I have no idea. I would have to check that out.

Deputy Robert Troy: If one is speeding, it is three penalty points and an €80 fine. Is there no set penalty for someone who is driving without a licence?

Mr. Con O'Donohue: Even for speeding, if it goes to court, it is five penalty points on conviction, but it is up to the court to decide what the monetary fine is. Similarly, with the offence the Deputy is referring to, it is up to the court to decide what the fine is, and it can vary from a very small to a very large fine. There is a fixed charge amount but once a prosecution takes place, there is a band in terms of the offence.

Deputy Robert Troy: Of the 88% of people, on average, over the past four years who failed to hand up their driver licences, have we any idea how many were prosecuted? These people knowingly and willingly broke the law and continued to drive a motor car when they were put off the road for perhaps drink driving or speeding. They were put off the road because they were deemed a danger on the road and were penalised. Have we any idea of the number of those who were prosecuted?

Ms Moyagh Murdock: I can throw some light on that. Sadly, the only way we have of finding those sorts of figures is *post factum*. Our research on fatal crashes, where people were killed and where we looked at the coroner's file, indicated that 7% of them were driving while disqualified and did not have a valid licence but drove and killed someone. We would assume that 7% still applies.

Deputy Robert Troy: With due respect, I do not think assumption is good enough. We are talking about designing policy and legislation based on hard facts. We need to know. I am just asking the question and maybe the facts and the figures are here and maybe I am stupid and not able to abstract them from this. A reporter on "Morning Ireland" this morning was able to say that in the past year, only two people were prosecuted out of 8,000 for driving a car when they had been put off the road. Of those, one got a €500 fine and one got no fine.

Mr. David Sheahan: There are two different elements the Deputy is mixing up here. The first element is that two of 8,000 spoken about this morning failed to surrender their licence after being disqualified. It is not a case of those people who were disqualified were then found driving. There are two different things happening at the same time here. There are those who fail to surrender their licences having been disqualified. That is the figure 8,000. Those physically caught driving while disqualified is a different figure altogether.

Chairman: That is the figure Deputy Troy is looking for, is it not?

Deputy Robert Troy: One does not know. If they fail to submit their driver licences, we do not know how many people have been put off the road but continue to drive their car until such time as they are caught. Given the existing system, we are unable to definitely say that they are going to be caught.

Chairman: We do not know whether they have licences or not. I presume a very significant number do not.

Deputy Robert Troy: Chairman, maybe let the-----

Mr. David Sheahan: If one looks at the figures I have provided, in 2011, 1,660 people were found driving while disqualified; in 2012, there were 1,793; and in 2013, there were 1,879. I suspect that the figure for 2014 is a misprint because it is the same as in 2013, but I would say it is in or around the same figure. In 2015, there were 1,561 in this category. At that stage, on the advice of the DPP, we were unable to continue prosecuting a person for driving while disqualified and, as I explained earlier, we had to deal with it as a person without a driver licence and give the previous convictions thereafter. That is why there were only three in 2016. As a result of that change, unfortunately, I am unable to give the committee the figure for 2017.

Deputy Robert Troy: The simple fact of the matter is that there is sizeable proportion of people who are disqualified and who are not surrendering their licences. Is that a fair comment?

Mr. David Sheahan: That is a different issue. The figures I have here are for people we detected driving while disqualified. The Deputy is talking about a person who is disqualified and fails to surrender his or her licence. Just because a person fails to surrender his licence, it does not mean he will drive or, indeed, will not. Those are the detections we made of people who were disqualified from driving and were caught doing so.

Deputy Robert Troy: We are summarising, but if someone does not hand in his or her licence automatically, one has to ask why. These people will continue to try to drive. If someone was willing to take the disqualification and go off the road, he or she would have no problem handing over his or her licence. People hold onto their licences because they want to continue to try to drive. Does the assistant commissioner agree?

Mr. David Sheahan: In the pilot project being carried out in Limerick at the moment, we have found a number of people who came to a check point and produced a driver's licence as I explained earlier. We were then able to determine by looking up the licence there and then that those people were driving while disqualified. In addition, we went back to the insurers to ask them whether, for example, Mr. David Sheahan, had notified his insurer that he was disqualified from driving. We then had a second offence of failing to notify the insurance company and of making a false declaration in respect of that. By having the information at the side of the road, we are in a better position to do those two things. First, does the person have the licence while disqualified and, second, can we advise the insurer that the person was detected while off the road?

Deputy Robert Troy: To be fair, that is not the question I asked. I accept that the new system in Limerick where people produce the licence and that is checked there and then is far more efficient and the response time is quicker. However, the reason people hold onto their licences is so that they can drive their cars. The current process is not fit for purpose. If it was, we would not have the statistics the assistant commissioner has outlined. The Garda has identified a new process, albeit the assistant commissioner was unable to tell my colleague about the projected cost and timeframe in rolling it out nationally. When can we expect to see that measure in place in every region?

The assistant commissioner referred to the confiscation of cars as a penalty. My understanding is that contracts are not in place in every region and that gardaí cannot confiscate cars even if they want to.

Mr. David Sheahan: That is erroneous. We seize cars under section 41 of the Act irre-

spective of whether a contract is in place. That is not a bar to seizing cars where offences are disclosed.

Ms Moyagh Murdock: The Deputy said someone might not surrender his or her licence to continue to drive. There are no facts available to us to indicate that. What we see is that a higher level of people are surrendering their licences who have been convicted on foot of accumulating penalty points. They are more compliant as they have accepted their penalty points in the first place. The profile is of persons more accepting of road traffic legislation.

Chairman: They have a licence as well. Many of these other people do not have licences, which is the problem.

Ms Moyagh Murdock: The people who do not surrender their licences are defiers. They defy road traffic legislation. The law is clear about surrender of one's licence and they have ignored it. The same attitude exists among learner drivers. We introduced legislation making it a penalty point offence to fail to display L-plates. The L-plate means a person will not drive unaccompanied, but it has no effect on people driving with L-plates. They are driving unaccompanied. One sees it everywhere. When one looks out the window and an L-plate driver goes past, that person is invariably unaccompanied. We have to be careful about coming up with some new process to ensure we get every licence back and believing that it will deter these people from driving while disqualified if they surrender their licences. It is not as simple as that. It is a great deal more complex. We need the mobility project to permit instant detection so that culture and attitudes change and defiers believe they will be caught. They will then change their behaviour.

Chairman: Would it be worthwhile to get the view of insurance companies? If people are fraudulently saying they can drive because they have full licences, the insurance companies will have a lot of evidence. Perhaps they can provide statistics on those who have been caught improperly claiming to have insurance when they have no licence. Is there an issue in that regard? Would it make sense, data protection law permitting, if all convictions in court or penalty points applied were notified automatically to the insurer?

Ms Moyagh Murdock: I will answer that in part and I am sure the Garda will want to answer the rest. The national vehicle and driver file, or NVDF, is available to all insurance companies and the regulations addressing access to it, including in relation to data privacy, have been dealt with. However, only some insurance companies access it. RTÉ "Prime Time" did a programme on the responses when people rang up for insurance and found the companies automatically gave it out. We are also faced with the issue whereby people may take out insurance for a month and then cancel the policy while still driving around with a disc.

Chairman: Perhaps we should bring in the insurance company representatives.

Ms Moyagh Murdock: I would welcome that fully.

Chairman: Deputy O'Keeffe has waited patiently.

Deputy Kevin O'Keeffe: I welcome the witnesses from the RSA and An Garda Síochána. I thank them for their comprehensive and informative contributions. What we are being told today beggars belief. We are blaming current issues on legislation going through the Dáil and filibustering. However, according to what we have heard, perhaps the Minister is not doing his job. Ms Murdock said, his departmental officials have been so busy with a one-line amendment for the past year and a half that he cannot go about his job of bundling existing road traffic legis-

lation, which is poor as we saw in a television documentary. We heard judges, gardaí and others speak on that programme about disqualified drivers being back in court and out driving without proper action being taken. Deputy Munster put down a parliamentary question not long ago asking what the Minister had done about the bundling. We have been led to believe he put out a tender to law firms to sort out the legislation. Is the Minister focused on his job? The current legislation is a knee-jerk reaction because there was a spike in road fatalities in 2016 which was not necessarily caused by careless or dangerous driving. I was recently at a conference on road safety abroad where it was acknowledged that there has been a phenomenal uptick in traffic on the roads in this country. Those roads were left without proper maintenance over the past five or six years due to the unavailability of capital funding for local authorities.

What we have heard today is astounding. Referring to other road safety legislation when a particular incident arose, Mr. Conor Faughnan noted that one of our reactions as legislators is to enact further legislation instead of enforcing the existing law. As we have seen today, the existing legislation is not being tidied up properly. The assistant commissioner referred to two types of disqualification under sections 1(a) and (b) and the confusion that causes where people are off the road. It is astounding that the issue of people failing to hand in their licences has not been corrected. This did not arise yesterday or today. The RSA and the Garda have statistics to indicate it has been a major problem for five years. Why has nothing been done to correct that blatant flaw in the legislation? Reference was made to the fact that a person may have the right of appeal, but perhaps the judge allowed the prosecutor to hold on to the licence until the appeal is determined. If the person was stopped on the road without his or her licence, the gardaí can double check if it is held by the courts. I am amazed that after what we have heard today regarding that the focus is on the existing Road Traffic Act being properly bundled and tidied up, and the lame excuse that a one line amendment has held up the whole show for the past year and a half.

Perhaps some of my colleagues have been over enthusiastic in their deliberations in the Dáil, but they have had only a couple of hours with the document. We have had to read up on the dossier in high-speed time overall, but the Minister and his Department have been deliberating on it for a year and a half.

With regard to the fitness of the Garda, a previous Garda commissioner has said in a different forum that perhaps the reason there are so few prosecutions is because of the presence of gardaí. This is a phenomenon; people not being prosecuted when the law is broken. If one was to follow this argument then if the gardaí did not drive around a town during a festival occasion, when there tends to be more skirmishes, there would be no prosecutions. Not having a Garda presence can mean more fights. What is the difference there? Just because there are no prosecutions it does not mean the Garda are not doing their job. We have to acknowledge this.

There will probably be a parliamentary question tabled by the end of this year regarding the more than two million breathalyser kits that have been used and how many tested positive. The figures might be low. Deputies could ask if the kits were working properly at all because such a phenomenal number of breathalyser kits had been used. I commend the gardaí, however, and they are doing their job. They have been subject to criticism and at other times they get flak during spates of robberies in rural Ireland and so on.

I expect the RSA advertising campaigns to go on, but we have yet to see a campaign that tells people they cannot drive without a licence or when they have been put off the road. It is a case of do not drink and drive, but there has been no advertisements similar to those relating to the TV licence - if one does not have a TV licence then one cannot have a television. The focus

on this issue has been lost through the Minister.

Chairman: In fairness, the Minister is not here at the moment-----

Deputy Kevin O’Keeffe: He should be here-----

Chairman: Whatever comments Deputy O’Keeffe has in respect of the Minister can be made when we invite him in.

Deputy Kevin O’Keeffe: He should be here-----

Chairman: We will ask him in as soon as possible and the comments can be addressed to him.

Deputy Kevin O’Keeffe: I am trying to get across to the committee-----

Chairman: The witnesses administer the law that we pass. They are not politicians or policymakers.

Deputy Kevin O’Keeffe: The witnesses are the people who will take it back to their various departments and-----

Chairman: I am not-----

Deputy Kevin O’Keeffe: I am being forthright here. When it comes to road safety, the other major issue is young drivers. Prior to the last meeting, there was a major road tragedy in Donegal, which involved a 14 year old. I saw a report by a road safety official who said that the only way to stop road tragedies among young drivers in Donegal is to have a night-time curfew. They are trying to wash their hands of the problem. We know there are people who are mad about their cars in Donegal, and it can be a problem, but we do not see much mention of that. Reference was made to the spike in road deaths and the reasons for that. I am sorry about this and it should not be happening. There were 14 road deaths in one month, which is bad, but we have to ask why.

The current legislation has not been properly tidied up but we will only make everything more complicated with further amendments, instead of tidying up the existing legislation and enforcing it through the courts, including in respect of the fatalities to which we have referred. This has not just been an issue for the past 12 months, it has gone on for the past four or five years. I am astounded that we think changing the current legislation is going to sort out all these problems; it will not. These problems should all have been sorted out by now. It has been up to the Minister’s Department and the Department of Justice and Equality to have sorted this out before now. Those Departments need to come together, be up-front and acknowledge that if existing laws were properly enforced and regulated, judges would not have to deliberate between prosecutors and solicitors over technicalities. Perhaps there would be fewer road deaths and we would not be going down the road of putting innocent drivers off the road by amending legislation.

Chairman: I thank our witnesses-----

Deputy Kevin O’Keeffe: I have one more point to make around clarification-----

Ms Moyagh Murdock: If the Chairman would not mind I would like to respond. At the outset I said that I believe the current legislation is robust and adequate, and that the powers

have been given to the Garda. Gardaí have adequate powers. The issue in this regard is in ensuring the gardaí are properly resourced and funded, and that they have the necessary equipment.

We concentrate on the killer behaviours. We expect people to know that they should carry their driver's licence, but our priority is on the killer behaviours. Drink-driving, seat belts, speeding and mobile phone use are the main areas on which we concentrate. There is also a message on the other areas of road safety.

The night-time curfew issue is not something to be dismissed out of hand. This type of legislation has been introduced in the North of Ireland and there is a night-time curfew for some drivers there, but with some exemptions. They have also restricted the numbers of young people allowed in the vehicle at any one time to one person or siblings. This legislation was introduced to tackle the issue of young drivers so it is not beyond possibility. We will monitor that measure. The authorities in Northern Ireland have recognised that younger drivers are a significant risk to themselves and to other road users. It is not beyond possibility that such a measure would pay dividends.

Deputy Kevin O'Keeffe: What I have to say is being-----

Ms Moyagh Murdock: We listen.

Deputy Robert Troy: I have been given a document from the office of the Minister for Justice and Equality. It states the Minister has been able to obtain the figures for the numbers of drivers who were before the courts between 1 January and 31 December 2017 for the offence of driving while disqualified, the numbers who were convicted and the penalties imposed. The number of drivers was 362 and the number convicted was 82. This is approximately a 20% conviction rate, and I take the figures as accurate as they came from the Minister for Justice and Equality. The penalties imposed in these cases were: community service, 4; disqualified, 59 - but I would have thought the whole lot would have been disqualified and have a penalty on top of the disqualification; fines, 26; imprisonment part suspended, 27; imprisonment with all suspended, 31; and other, one.

I am curious as to how the witnesses cannot have the figures with them because the Director of Public Prosecutions said the two penalties cannot be separated, and yet the Minister was able to access the figures.

Mr. David Sheahan: I am at a loss to know where those figures came from. They may have come from the Courts Service of Ireland. I am not aware of those figures.

Chairman: I accept that absolutely. The key point is that this has been an important engagement. I want to focus on what is to happen in the future. We all support the suggestion that the app be available to the Garda and that the funds are available throughout the State. As Deputy Troy said, we need to know how much this would cost and get it onto the Minister's agenda for the budget this year. I have no doubt that it would make a huge difference.

We are at a serious point now because, unfortunately, road deaths are going up instead of down. I am aware there is an increased volume of traffic on the roads with more people driving and more people working. There is a lot more activity. The RSA's plan, which I support, is to have a maximum of 120 deaths by 2020. The roadmap toward that reduction between now and then will be very difficult to develop. I am not quite sure where the plan is in terms of the road to change or what we need to do now. I would like the committee to address that at the proper

time. Could I just get the answer to that?

Deputy Kevin O’Keeffe: I thought the Chair was shutting down the meeting.

Chairman: No, not at all.

Ms Moyagh Murdock: It is going to be more and more difficult to achieve that target. Instead of being overwhelmed with trying to reach that target we should refocus on the killer behaviours such as drink-driving. If we disaggregate the figures, 50 to 60 people a year are killed because of drink-driving. The Deputy asked my view on the current filibustering. It is completely unacceptable. It is actually unprecedented.

Chairman: It is undemocratic. It is an abuse of parliamentary procedure.

Ms Moyagh Murdock: This country has been unique in having always had support for road safety legislation across the parties and from Independent Members as well. This is totally undemocratic. Our chairperson is on record as saying it is totally unacceptable and self-serving. I make no apology for reiterating that. If we could get this legislation through, there would be room to ask about the rest of the legislation. One could say “I told you so”, but at the moment the filibustering is holding things up.

Deputy Kevin O’Keeffe: I have to come in here.

Chairman: I am not stopping Deputy O’Keeffe.

Deputy Kevin O’Keeffe: I take offence. In Ms Murdock’s opening statement she said the legislation is robust. It has been proven that it is not robust. It has been proven that the existing Road Traffic Act, as amended down through the years since 1961, is not functioning properly in its current form, even without amending it further. I take offence at the suggestion that Deputies in Dáil Éireann are jeopardising road safety. I take offence at that comment. Ms Murdock should come out of her comfort zone and come down to rural Ireland-----

Chairman: Hold on a second.

Deputy Kevin O’Keeffe: No, fair is fair.

Chairman: Hold on. As Chairman I have to say that our witnesses have been fair and reasonable. They have made-----

Deputy Kevin O’Keeffe: They have accused colleagues of ours in the Oireachtas-----

Chairman: I agreed that the Oireachtas is being abused.

Deputy Kevin O’Keeffe: That is a matter of opinion.

Chairman: It is. People are entitled to have that opinion. I believe that anybody looking at road deaths at the moment would have the same opinion. The Deputy is entitled to his opinion however.

Deputy Kevin O’Keeffe: Can I put a final question?

Chairman: Of course.

Deputy Kevin O’Keeffe: I was not going to raise this today in this forum. Obviously when we go about producing legislation we need to have facts and figures in front of us. Do we

not? The Minister, Deputy Ross, came into this committee as early as February 2017 and he had made comments even before that. In 2016, he gave us a written statement which stated he thought the current legislation on driving with a blood alcohol level between 50 mg and 80 mg was being abused and not functioning properly or playing its part. We went through committee and got no proper clarification. The Garda Síochána says it can produce figures and statistics. Deputy Troy has just proved it can be selective about when it can produce its statistics. An Garda Síochána has had 12 months since I asked my previous question. I tabled a question to the Department of Justice and Equality on 15 May asking for figures on repeat offenders, that is, how many people who were caught innocently over the limit with a blood alcohol level of between 50 mg and 80 mg were caught again. I asked this because the Minister, Deputy Ross, came in here more than 12 months ago and told us the law was being flouted and not being respected or recognised. He told us that there were people being repeatedly caught while innocently over the limit. We are told that these figures are not available. What facts is the Minister working off? We are talking about crashes involving people who have been drinking. From what I can see, if there was a crash out on the road and if there was a bag of empty bottles 4 yd. or 5 yd. away from the vehicle, it would be logged as a crash related to drink-driving. That is way the RSA compiles its figures.

Chairman: I do not think anybody would agree with that. The integrity of the figures and the witnesses is absolute as far as I am concerned. We should adjourn shortly but I would like to go back to the point about what the next steps should be if we were to have another meeting, because that is hugely important. I note the excellent work the RSA and An Garda Síochána are doing, particularly those advertisements. It is very moving to see families talking about loved ones and little children. It is just not on. The figures must be reduced by at least 30 per annum and it is not happening right now.

Ms Moyagh Murdock: We are aiming for a reduction to ten a month but we are at 16 so far this month. It is still too many.

Chairman: It is so sad and tragic for all those families who suffer. I assure the witnesses of my full support, as a Member of the Oireachtas, for everything that is going on. I want to see more enforcement. I support what the RSA has to do. I do not second-guess its commitment or its absolute integrity in terms of its work. Would the witnesses like to say anything before the adjournment?

Mr. David Sheahan: We need to change behaviour, particularly around drink-driving. Ms Murdock has already said this. We saw a spike of 235 people being detected drink-driving last bank holiday weekend. The normal weekly turnover of drunk-drivers is approximately 182. That figure is way above what we would expect. If that level of behaviour is continuing, we have a difficulty. We need to call it out. There are people who are taking chances and they are putting lives at risk.

Chairman: They are taking lives in some cases.

Mr. David Sheahan: They are putting lives at risk in many cases. One third of the people involved in those drink-driving offences in that period were people under 30 years of age, which agrees with the research the RSA has done. That is a bracket of people who I would have thought would have learned from the people who came before them, but they have not learned and they are still taking those chances. That needs to change. The other thing I would certainly like to see in the short term as an immediate measure would be provision to have driving licences produced on demand in order that we can do checks on the roadside and make inroads

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into the really critical behaviours that are changing. That is critical for us. We would need to run a campaign in that context to advise people that they must do it. We need to start enforcing that measure on driving licences in particular. If we get that piece right, the rest of it will flow.

Chairman: The other thing that was agreed was that we would invite insurance company representatives to the committee to assist in drilling down into those data if we can. I thank the witnesses and the staff of the committee. We have had a very long day. It has been almost five hours of a meeting with a ten-minute break. That is not bad.

Ms Moyagh Murdock: It did not feel that long. We were okay. I thank the Chair.

The joint committee adjourned at 6.20 p.m. until 9.30 a.m. on Wednesday, 27 June 2018.