

DÁIL ÉIREANN

AN COMHCHOISTE UM IOMPAR, TURASÓIREACHT AGUS SPÓRT

JOINT COMMITTEE ON TRANSPORT, TOURISM AND SPORT

Dé Céadaoin, 30 Eanáir 2019

Wednesday, 30 January 2019

The Joint Committee met at 10 a.m.

MEMBERS PRESENT:

Deputy Catherine Murphy,	Senator Mark Daly,
Deputy Kevin O’Keeffe,	Senator Frank Feighan,
	Senator John O’Mahony,
	Senator Pádraig Ó Céidigh.

DEPUTY FERGUS O’DOWD IN THE CHAIR.

Business of Joint Committee

Chairman: We have quorum. Apologies have been received from Deputy Imelda Munster. I remind members to completely switch off their mobile phones as they interfere with recording equipment.

I propose that we go into private session to deal with EU scrutiny before returning to public session. Is that agreed? Agreed.

The joint committee went into private session at 10.10 a.m. and resumed in public session at 10.25 a.m.

Chairman: I again remind everybody to switch off their mobile phones completely as they interfere with recording equipment. Before we commence today's business, as Chair of this committee I wish to express my condolences, and I am sure the condolences of the committee, to the families of those who have been bereaved recently as a result of road traffic accidents. Their trauma and loss is greatly felt, not just locally but throughout the country.

Marine Casualty Investigation Board: Chairperson Designate

Chairman: I welcome Ms Claire Callanan. The purpose of our meeting is to hear from her as chairperson designate of the Marine Casualty Investigation Board, her approach to undertaking the role, and her vision for the board.

For the purpose of the witnesses attending, in accordance with procedure, I am required to read the following notice. By virtue of section 17(2)(l) of the Defamation 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 do so, 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 either 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 Callanan to make her opening statement.

Ms Claire Callanan: I thank the Chairman and committee for the opportunity to present my credentials. I am a solicitor and I have been in practice for almost 40 years. I am a partner in the firm of Beauchamps Solicitors, and have been a partner there, and in a previous firm, for more than 30 years. I have a Bachelor of Civil Law from University College Dublin in 1978. I did a stage with the legal service of the European Commission in 1980. I am a member of the Chartered Institute of Arbitrators since 1999. I am a founder mentor of the joint Law Society and Bar Council law and women mentoring programme that is in its third year. Last year, I obtained a certificate in charity law, governance and trusteeship from the Law Society, and the course was run by the Law Society and The Wheel. I have just been appointed to the board of

Action Aid Ireland.

I am a partner in the litigation and dispute resolution department in Beauchamps Solicitors. I work with State and semi-State bodies, major financial institutions, owner-managed businesses and multinational companies. I have extensive experience in the public administration, financial services and healthcare sectors. I specialise in contentious matters. I have a lot of expertise across a range of areas, including administrative and constitutional law, contractual disputes, company law, insurance law, construction, employment and equality law, and defamation law.

To frame my experience I will set out some details about the functions of the Marine Casualty Investigation Board. The board was established in 2002 under the Merchant Shipping (Investigation of Marine Casualties) Act 2000. The legislative framework for the operation of the MCIB, which is the reporting and investigation of marine casualties, and the powers of MCIB investigators are set out in the Act and in the related European Communities (Merchant Shipping) (Investigation of Accidents) Regulations and directive. In carrying out its functions, the MCIB also complies with the provisions of the International Maritime Organisation's Casualty Investigation Code.

I will summarise the role of the MCIB. It arranges for investigations and reports into the following serious marine incidents: a fatality or serious personal injury, the loss of a person overboard, a significant injury to property from a collision, or in the case of significant environmental damage. Jurisdictionally, that relates to any vessel that is in Irish waters, any Irish vessel, wherever that may be, or if the vessel is normally located or moored in Irish waters and under the control of a resident of the State, where the incident occurred in waters contiguous to Irish waters.

The investigations are conducted by professional investigators appointed by the MCIB to determine the cause of the accident, but not to determine who is at fault, and with a view to making recommendations for the avoidance of similar marine casualties. By the end of 2017, the MCIB had published 216 reports into incidents under its statutory remit. The board published eight final reports in 2017, while it has published seven reports in 2018. The board's 2017 report was published on its website this morning, I believe.

My legal experience is relevant in guiding the MCIB in respect of the natural justice aspects of the investigation reports. In particular, under section 36 of the 2000 Act, interested parties, namely, anyone who is likely to be adversely affected by it, have an opportunity to comment to the board on reports before they are finalised. I have worked on a wide variety of investigations that involve issues of statutory interpretation, natural and constitutional justice and the assessment of evidence including its weight, relevance and credibility. Also, because of the sort of regulatory and administrative law work on which I advise, I have worked with a number of State and semi-State entities and, therefore, I am familiar with the practical operations of public entities and the various applicable legal regimes and codes that establish their jurisdiction and functions.

I will now outline some examples of the sort of work I have done in the area of constitutional and administrative law. I acted for the Law Society of Ireland in the proceedings with the Motor Insurers Bureau, MIB, that sought to ensure that persons injured in road traffic accidents where the drivers were no longer insured due to the collapse of Setanta Insurance received proper compensation, rather than the capped amounts that were then applicable from the insurance compensation fund. This involved complex interpretation issues between the obligations

to the MIB as against those of the compensation fund. That case led to the 2018 Insurance Act, which gave these road traffic victims the same level of damages as other injured parties.

I acted for the Charities Regulator in the first prosecution and in the first judicial review under the Charities Act. The prosecution was directed to ensure that charity shops are conducted by legitimate registered charities in order that the public interest is protected by properly regulated charities.

I acted for the European Commission and the European Council in proceedings challenging the EU-Turkey statement on asylum, which was brought somewhat oddly by Syrian asylum seekers in Greece who were seeking leave to enter Germany.

I acted for an Irish quadriplegic receiving health care in Germany under the EU healthcare regime in proceedings against the HSE when it sought to prevent his continuing care in Germany. The case was heard by the European Court of Justice.

I am chairperson of my firm's finance sub-committee. I have good experience of all aspects of our owner-led business, from personnel, business, marketing, and finance to insurance and regulation. Experience on the board of a professional business partnership is relevant in providing the necessary experience, engagement and approach required for the chairmanship of the Marine Casualty Board. The board is an independent body with its own funding provided for by the Oireachtas under section 19 of the Act. It is independent of the Minister for Transport, Tourism and Sport in the performance of its functions and, in general, must be independent of any other person or body whose interests could conflict with the functions of the board. I am not a member of any sailing or boating club, and I have not acted for persons likely to be involved in investigations. I do not believe I have any conflicts that would impair my appointment as chairperson of the MCIB or that would affect its independence.

In regard to Europe, the MCIB is an active member of the European Maritime Safety Agency, EMSA, which is responsible for providing technical assistance in the implementation of the EU directive establishing the principles governing the investigation of accidents in the maritime transport sector. It is also responsible for maintaining a platform of casualty data and investigation reports of incidents that fall within the directive. The reports are provided by the member states, and the MCIB is tasked to provide them on behalf of Ireland.

The members of the MCIB are Ms Dorothea Dowling, Mr. Frank Cronin, Mr. Brian Hogan, Mr. Nigel Lindsay and the secretary to the board is Ms Denise Hyland. I thank the outgoing chairperson, Ms Cliona Cassidy, for all her work with the MCIB since her initial appointment in 2013. It is a small board and a considerable amount of work is required outside of the regular board meetings. In addition to all of that work, Ms Cassidy gave freely of her time to brief me on the role to ensure a smooth handover. I hope to be able to continue the good work carried out by her and the other board members. I thank the committee for the opportunity to appear before it.

Chairman: I thank Ms Callanan for her comprehensive and detailed presentation. I invite Senator O'Mahony to contribute.

Senator John O'Mahony: I thank Ms Callanan for her detailed presentation of the work that will be entailed. It is clear that she is highly qualified for it given her legal work.

Ms Callanan referred to reports on investigations of incidents. Does she know how many investigations are ongoing?

Brexit is the primary issue in the news at present. Will it have any implications for the work of the MCIB? I acknowledge that the board's remit extends only to investigations in Irish waters but Ms Callanan might comment on that.

She outlined the other five members of the board. Are there any vacancies on the board or is that the full complement?

Ms Claire Callanan: Yes, I think it is the full board.

Senator John O'Mahony: Finally, what is the remuneration for Ms Callanan's post?

Chairman: I invite Senator Ó Céidigh to contribute before handing back to Ms Callanan to respond.

Senator Pádraig Ó Céidigh: Ms Callanan is welcome to the committee. I thank her for her deliberation and for sharing her experience. She is eminently qualified for the role and I wish her every success in it. She outlined her qualifications, which are of the highest standard, and a little about the board, the independence of the board and the importance of that. It is a small board and it would be useful if there was a brief outline of its members, primarily because it is a small board.

I am involved in a number of boards in different areas. It is important for a board and, in particular, its chair to consider inviting an organisation such as the Institute of Directors to carry out some due diligence of the board, perhaps once every three years. The board can then establish whether it is fit for purpose and what its strengths and weaknesses in governance are. It supports the integrity of the board and the chairperson. I offer that suggestion as a thought because I found it useful in other areas, in private companies as well as in some public organisations.

Ms Callanan mentioned the EMSA. My experience in this overall area is in aviation and the air accident investigation unit, AAIU. Will Ms Callanan outline her thoughts on the AAIU and whether the board has any interaction or engagement with it? The AAIU is extremely professional. We are all on the same island and accidents must be dealt with. The AAIU has processes and systems, and the MCIB and the AAIU might learn from each other through sharing methodology for investigating accidents.

Are the board's professional investigators employees, contractors or a mixture of both? Seven reports were published in 2018. What happened to them and what were their follow-up actions?

Senator Frank Feighan: I thank Ms Callanan for her presentation and I welcome her. This was a board of which I was not aware. I imagine that most people in Leinster House are not aware of it. It was set up in 2002. In the early 2000s and 2010s, people talked about getting rid of quangos. Due diligence was done on this board and it survived, so it obviously has an important role.

I will ask some questions for the sake of my own understanding. In the event of someone falling overboard, a fatality or a serious personal injury, how does the board go about investigating it? Are the Garda and other State agencies involved? That information might inform us better.

Deputy Kevin O'Keeffe: I welcome Ms Callanan. Has she been a member of the board

before?

Ms Claire Callanan: No.

Deputy Kevin O’Keeffe: I thought she had been.

Chairman: She just told the Deputy that.

Deputy Kevin O’Keeffe: In that case, I wish Ms Callanan the best of luck.

Chairman: Ms Callanan may reply now.

Ms Claire Callanan: I will go in reverse order and explain how an investigation is carried out. I am new but I will offer an illustration. Yesterday, we received an incident report. The way the system operates sees the emergency services filtering potential marine incidents and reporting to the board, which has three staff. The staff circulate that information immediately to the board members, so yesterday was my first experience of it. There was a flurry of emails over a short period in the afternoon entailing a brief technical outline of the incident, asking whether there was any missing information that would be essential for determining whether there would be a preliminary investigation or an investigator would be appointed immediately for a full investigation, and identifying an available investigator. Within an hour of the first communication, an available investigator had been identified and tasked with carrying out a preliminary investigation. That involved checking with the Garda in the first instance. Other State agencies involved include any of the emergency services and the Coast Guard. Also involved are local fishing information and the weather service. In the reports I have read, the latter appears to be essential, as it possesses technical information from the time.

The investigators are independent and retained as consultants by the board. They are appointed from time to time following the usual sort of process. They have expertise in marine engineering, naval architecture, naval machine learning, marine surveying, etc. An investigator gathers all of the information, carries out interviews and prepares a draft report, which is then considered. It may be returned to the investigator. When the investigation is concluded and a report has been drafted, there is a natural justice phase wherein persons who may be affected are given a copy of that report. They can comment on it, which is then taken on board by the MCIB. That is how the system operates.

I was impressed by the speed yesterday, as well as by the availability of board members. It was all done very efficiently by email. An investigator was identified and on the job within a short time.

The reports are published online when they are concluded. They generally contain recommendations that go to the Minister, after which the recommendations become a matter for the Department to consider and, if viewed as relevant, to take on board and feed into its legislative and other processes. In 2017, the Department reissued its code of safety on recreational vessels, so I assume previous reports fed into that. Safety on recreational vessels also seems to be a theme in the chairman’s statement in the report that has just been published.

I welcome the observation on the Institute of Directors. I will take it back to the board, as one always needs to be reviewed and externally audited from time to time. Even if someone believes he or she is doing well, one can always do better. The observation is timely. I cannot say whether there has ever been a board review or reassessment. Assuming there has not been one in recent times, it would be useful. I am happy to take that observation back to the board

for discussion.

Regarding the AAIU and the availability of expertise, there appears to be good co-ordination in what is a specialist area in respect of accidents. Although it is just a preliminary observation, my understanding is that there has been good co-ordinating and sharing between experts in rail, aviation and marine accidents. One of the members of the board is the chief investigator of rail accidents. The methods used may be different, but accidents have similar concepts, methodologies and other things to critique. Given that we are a small country with a very small number of experts in this area and, happily, a very small number of accidents, I appreciate the point about there being merit in sharing information and expertise. I believe we have that.

Regarding fees, Brexit and the current position, the fees for the chairperson are approximately €8,700 per annum. Currently, nine investigations are ongoing. They include one that is led by Antigua and Barbuda because it involves an Antiguan and Barbudan boat. We are contributing to that investigation but, as the flagship country, Antigua and Barbuda is the lead investigator. The most immediate objective is to progress existing investigations and reports. I am told that three draft reports are in the natural justice phase. The deadlines for the receipt of responses are 5, 6 and 7 February and, depending on what comes back, three reports will be published relatively promptly thereafter.

I have had a preliminary briefing on Brexit and, if I may, I will respond in a number of ways. On the regulatory regime, apparently it will have little consequence when the United Kingdom falls outside the EU legal regime because, in large part, all countries are parties to international marine conventions that contain similar safety provisions and regulations. EU directives and regulations are closely aligned with international conventions. Therefore, there is a secondary legal regime in which continuing operations can be framed, if I can put it that way.

On the European Marine Safety Agency, it seems to us that the only issue is that data from the United Kingdom will not be uploaded and will not become part of the data platform. Therefore, to a certain extent, the value of the statistics and input from the joint agency will be devalued, given, in particular, that the United Kingdom is our nearest neighbour and a marine entity, but it is not something we can do much about.

On the response to a marine casualty, there is an international safety regime which operates in different areas from territorial waters. I understand the response to an emergency should not be affected. Thinking a little downstream, it might be the case that the outcome of marine casualty incidents could be prejudiced if there were to be delays or difficulties of whatever nature in seeking access across the Border or to healthcare facilities because it would not be the norm in the context of the EU healthcare regime. I have not bottomed it out sufficiently to see what would then operate.

Deputy Kevin O’Keeffe: Did many others apply for the position?

Ms Claire Callanan: I do not know.

Chairman: Ms Callanan is exceptionally well qualified, but I do not know the answer to that question. We can ask the Minister because he makes the nomination-----

Deputy Kevin O’Keeffe: Yes.

Chairman: -----but it is very welcome to have somebody of Ms Callanan’s calibre and that she stepped forward. We have every confidence in her that she will carry out her work with

great aplomb, efficiency and effectiveness. I thank her for her comprehensive presentation to the committee. We wish her well in her appointment as chairperson of the Marine Casualty Investigation Board.

Ms Claire Callanan: I thank the Chairman.

Sitting suspended at 10.55 a.m. and resumed at 11.05 a.m.

Business of Joint Committee

Chairman: I remind members and delegates to turn off their mobile phones completely as they may interfere with the recording and broadcasting equipment, even when left in silent mode.

Are the minutes of the meeting of 23 January agreed to? Agreed.

I turn to matters related to scrutiny of EU legislative proposals in Schedule B which the committee considered earlier. It is proposed that COM (2018) 551, COM (2018) 664, COM (2018) 674, COM (2018) 684, COM (2018) 707 and COM (2018) 793 do not warrant further scrutiny. Is that agreed? Agreed.

I will now deal with correspondence. No. 2019/394 A is an email received from Ms Áine Doyle, research officer with Fianna Fáil, attaching correspondence from Deputy Troy. No. 2019/394 B is a letter received also from Deputy Robert Troy requesting that representatives of the National Transport Authority be invited to attend a meeting of the committee to discuss the possibility of establishing a ride sharing service to serve rural parts of Ireland. It is proposed that this item be considered in the context of the committee's 2019 work programme. Is that agreed? Agreed.

No. 2019/395 is an email received from Mr. Larry Larkin which was forwarded by Deputy Catherine Murphy. Mr. Larkin has written on behalf of former and current all-Ireland medal winners in athletics and cycling who would like to make a presentation to the committee on an anomaly in Irish athletes competing in international competitions.

Deputy Catherine Murphy: It is certainly something we should explore. I received the aforementioned correspondence and believe this is the appropriate committee to discuss the matter. I do not know why this has happened, but it would be useful for us to find out. I cannot imagine that it will be a very extensive item and it could possibly be tagged on with another sports item to our work programme.

Chairman: That would make sense. I propose that we consider the item in the context of our 2019 work programme. Is that agreed? Agreed.

No. 2019/396 is an email received from Ms Marie Walsh in the corporate affairs division of the Football Association of Ireland, confirming that the chief executive, Mr. John Delaney, and officials of the organisation have accepted the invitation to appear before the committee on 20 February. It is proposed to note the correspondence as the engagement has been scheduled for that date. Is that agreed? Agreed.

Role of Irish Coast Guard: Discussion

Chairman: I welcome Mr. Eugene Clonan, deputy director of the Irish Coastguard. From the maritime services division of the Department of Transport, Tourism and Sport I welcome Mr. Caoimhín Ó Ciaruáin, principal officer; Mr. Niall Ferns, manager of volunteer services and training; and Ms Clare O'Connell.

By virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the joint committee. However, if they are directed by it to cease giving evidence on a particular matter and 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.

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 Mr. Clonan to make his opening statement.

Mr. Eugene Clonan: I thank the Cathaoirleach and members of the joint committee for inviting us, thus providing us with an excellent opportunity to engage with it on what we do, the work programme ahead of us and the challenges we face as Ireland's search and rescue and pollution prevention service.

The director of the Irish Coast Guard, Mr. Chris Reynolds, has taken up an appointment with the EU capacity building mission in Somalia as of last Monday and will be on special leave for a period of approximately 11 months. I am the acting director and will respond in the best way I can to members' questions. To assist me in dealing with them, I am joined by Mr. Niall Ferns, our volunteer services and training manager who is responsible for the volunteer Irish Coast Guard units, as well as by Mr. Caoimhín Ó Ciaruáin and Ms Clare O'Connell from the maritime services division of the Department of Transport, Tourism and Sport which provides significant corporate support for the Irish Coast Guard. Before taking questions from members, I would like to take a few minutes to set out the international context for our work, some of the history of our development and an overview of our remit and the challenges we face.

As members are aware, we conduct search and rescue operations and respond to marine casualties. The maritime and aviation world is regulated by two UN bodies, the International Maritime Organisation, IMO, based in London and the International Civil Aviation Organisation, ICAO, based in Montreal. This is done through international conventions and agreements between states. The regulation of the maritime and aviation world in through these two UN bodies. The international framework for maritime search and rescue is based on the 1979 search and rescue convention. The IMO's safety committee divided the world's oceans into 13 search and rescue areas. In each area the countries concerned have delimited search and rescue regions for which they are responsible. The limits of the Irish maritime search and rescue region correspond with those of the flight information region, which is approximately 200 miles off the west coast, 30 miles off the south coast and the dividing line between Ireland and the UK in the Irish Sea. The whole process of international search and rescue is based on close

co-operation between the ICAO and the IMO. It also requires close co-operation with the UK's Maritime and Coastguard Agency, with which we have a close working relationship. That covers the search and rescue element.

The international framework for responding to marine casualties is based on the International Convention on Oil Pollution Preparedness, Response and Co-operation. It provides a legal basis for states to take action for the purposes of preventing, mitigating or eliminating danger from pollution or a threat of pollution following upon a maritime casualty. If a ship breaks down or is damaged in our exclusive economic zone, EEZ, we have the powers to intervene if we are not happy with the action the master is taking. To do that, officers of the Coast Guard or warranted officers under the Sea Pollution Act and Merchant Shipping (Salvage and Wreck) Act have powers that allow us to intervene in maritime casualties to protect the coastline.

To put the organisation into context and give a brief history of the Irish Coast Guard, we were set up in 1991 as a result of the Doherty report and we were called the Irish Marine Emergency Service. The IMES was established by a Government decision in 1990 as a division of the Department of the Marine at the time. The name was later changed to the Irish Coast Guard in 2000 and the division was subsequently transferred to the Department of Transport, Tourism and Sport in 2006. Since 1990, the organisation has come a long way from old rocket houses, horse drawn carts and yellow sou'wester foul-weather gear to the current progressive organisation with state-of-the-art equipment. When I joined the Coast Guard 20 years ago, I noted on one of the first inspections of rocket houses around the coast that they were little more than sheds in a dilapidated condition and our staff were wearing yellow sou'wester gear. Since then, we have invested significantly in the coastal volunteer force to develop it into its current configuration.

As it currently stands, the Irish Coast Guard is a discrete division within the Department of Transport, Tourism and Sport. As with any other division within the Department, we report to the management board and the Minister. Our responsibilities and powers are derived from Government decisions and the search and rescue framework. We are also authorised officers under the Sea Pollution Act 1991 and the Merchant Shipping (Salvage and Wreck) Act. In performing our responsibilities, we provide a variety of services. We provide a marine radio distress listening service and a broadcasting service for marine safety information. Essentially, that means we have three rescue co-ordination centres, RCCs, and a radio network around the coast. If ships are in distress, they can call us on marine VHF and HF radio frequencies. We also regularly broadcast marine safety information for weather forecasts, navigational hazards and so on.

We also provide a marine assistance service for ship casualties. We monitor maritime traffic within our traffic separation schemes off Fastnet and Tuskar. We co-ordinate search and rescue in the Irish search and rescue region, along the coasts and cliffs of Ireland and also in support of An Garda Síochána on the major inland lakes and remote areas. We monitor the EEZ and intervene, as necessary, for marine casualties to prevent or minimise damage to the marine environment by oil, hazardous and noxious substances from vessels' cargoes and offshore installations such as gas rigs and exploration facilities on the coast. We provide support, on request, to statutory bodies or agencies, particularly in terms of emergency response. Under the State's major emergency framework, the Coast Guard is nominated as a principal emergency service. We are, therefore, Ireland's fourth "blue light" service alongside An Garda Síochána, the national ambulance service and the fire service.

I will now outline the way the Coast Guard is organised and, essentially, what we are all

about. To carry out its functions the Coast Guard organisation is made up of four sections. The first is Coast Guard operations. Search and rescue and ship casualty operations are co-ordinated through the three rescue co-ordination centres, namely, the marine rescue co-ordination centre in Dublin, the marine rescue sub-centre in Valentia on the Iveragh Peninsula and the marine rescue sub-centre on Malin Head. These centres are responsible for search and rescue co-ordination, provision of coastal radio services, ship casualty operations and co-ordination of all Coast Guard volunteer activities. The current staffing complement in the three centres is 46 and the centres maintain a 24-7 watch coverage.

The second section of Coast Guard operations is that of maritime casualties. As well as monitoring the distress channels and responding to search and rescue incidents, the RCCs monitor our EEZ and respond to maritime casualties which pose a threat of pollution to our coastline. The RCCs are supported by the maritime casualty and counter-pollution section in Coast Guard headquarters. This section is responsible for developing, training and maintaining Coast Guard incident response to ship casualty and counter-pollution preparedness and response in line with the oil pollution, response and preparedness convention. It also maintains the national oil spill contingency plan and audits local authority and harbour plans, which are also oil spill contingency plans. It maintains the national pollution stockpile in Blanchardstown and develops training for national response teams and county councils in response to major incident management. Currently, there is one staff member in this area with two more to join shortly. The Coast Guard employs contractors to support operations in this area.

On receiving calls from distress channels - marine VHF, EPIRBs and 999 calls - the RCCs in responding to marine incidents on the coast have a number of resources to call upon. These include search and rescue helicopters. Coast Guard helicopter services are provided under contract by CHC Helicopter, operating a fleet of Sikorsky S-92 helicopters out of four bases in Dublin, Shannon, Waterford and Sligo, respectively. Helicopter services are on 15 minutes' notice by day and 45 minutes' notice by night. In addition to their primary role of provision of maritime search and rescue services, the Coast Guard provides an around-the-clock medical evacuation service – so-called medivacs - to the offshore islands. In 2018, the Coast Guard flew a total of 102 island medivacs, an increase on 2017. In addition, Coast Guard helicopters conducted eight long-range offshore medical evacuations. These are evacuations from fishing or merchant vessels off the coast where, for example, someone falls ill. Coast Guard helicopters have flown in excess of 665 missions in 2018. These missions also include inland searches for missing persons in support of An Garda Síochána and mountain rescue teams.

The helicopter service also provides assistance to the national ambulance service. Coast Guard helicopters provide helicopter emergency medical service to the national ambulance service, including inter-hospital transfers. The busiest inter-hospital transfer route is from Letterkenny hospital to University Hospital Galway. If an ambulance is called out to a person in Donegal or the surrounding area and a STEMI alert is issued or the person needs to be brought to hospital quickly, the nearest hospital for this type of emergency will be Galway. We are called in by the national ambulance service and we transfer the person to Galway.

Another resource we use heavily is the Royal National Lifeboat Institution, RNLI. It is categorised as a declared resource to the Coast Guard, which means that each individual station can be directly requested to respond to individual incidents. The RNLI maintains 38 lifeboats on the island of Ireland manned by volunteers. In 2018, the RNLI was requested to launch on more than 836 occasions.

Another Coast Guard response is the search and rescue units, which are volunteer units. The

nationwide network of volunteer Coast Guard units is an integral part of the national search and rescue framework. The network has a membership of approximately 1,000 volunteers formed into 44 individual units around the coast. All units are classed as onshore search units, with 23 of the 44 units having an additional function of boat operations and 17 units having a cliff rescue capability. They can do onshore search. Some of them have boats and some of them have cliff rescue responsibility.

The Coast Guard units are composed of: 12 three-function units - search, boat and cliff; 16 dual function units; and 16 single function units carrying out search only. The units comprise typically between 15 and 25 volunteers. Each Coast Guard unit is composed of a volunteer person in charge, deputy person in charge, training officer, equipment officer, administration officer and education officer. That is how they are organised and each has a particular role and responsibility within the volunteer unit.

Coast Guard units were tasked from the rescue co-ordination centres on 1,180 missions in 2018. It can be seen that they provide a significant response for us. All units are coupled with a capacity to support their communities during local emergencies including inclement weather. These community services were to the forefront during Storm Emma last March when major challenges were experienced in maintaining essential services. Coast Guard volunteers provided emergency support to healthcare staff and also provided support for isolated homes.

Mr. Ferns manages, resources and trains the Coast Guard volunteer units. There are ten dedicated Coast Guard staff in volunteer service and training, which includes six staff on the coast managing the volunteer units directly. The section's resources are given considerable support by the maritime services division of the Department, including Mr. Ó Ciarúáin and Ms O'Connell who are present.

The output of all this work is lives saved. The Coast Guard attaches particular attention to what is categorised as lives saved. This refers to assistance provided that if it was not available would have resulted in loss of life, severe risk of loss of life or protracted hospitalisation. In 2018 the Coast Guard has recorded that in excess of 400 people were categorised as lives saved.

A vital part is the organisation engineering and logistics section. The engineering and logistics section manages the radio communications network in the rescue co-ordination centres and the radio aerial infrastructure around the coast to maintain marine VHF and HF coverage in the search and rescue region. VHF channel 16 and HF frequencies are used for distress listening, and calling and working channels to maintain communications with the ships at sea. The engineering and logistics section also manages the Coast Guard stores in Blanchardstown. There are seven staff employed in this area with another three staff in the pipeline.

I have briefly set out the role and structure of the Coast Guard within the Department of Transport, Tourism and Sport. The Coast Guard as we know it has existed for 19 years, and has been under the remit of the Department for Transport, Tourism and Sport for 13 years. During that time it has evolved to the organisation it is today, monitoring distress channels and responding to incidents, saving lives and responding to threats of pollution to the coastline. Its success depends largely on the goodwill of volunteers from the RNLI and its own Coast Guard volunteers to give of their time and become professional responders in maritime life-saving situations. In return the Coast Guard provides excellent training and equipment to carry out that task.

While the role has not changed in those years, the challenges we face have evolved over

time and continue to do so. The Coast Guard has always sought to place safety at the heart of its activities. We define a successful operation as being when we get a distress call, send out a boat, cliff team or search team with five people and we get those five people back; the bonus is actually carrying out the rescue. Safety is and always has been at the heart of our organisation. However, we are involved in high-risk activities on a daily basis. For that reason, we have invested significantly in training, equipment and systems to ensure that our volunteers and full-time staff are our first concern when we task a search, boat, cliff team or helicopter.

Reliable information and awareness of risk is key. Strong communication channels are vital. Learning the lessons from missions that went well but also those that did not is essential to an organisation that wants to continually improve what it does.

Recent tragic accidents have been difficult for the organisation as a whole. We mourn the loss of close and valued colleagues and friends. We are also compelled to honour their memories by building a stronger, safer and more resilient search and rescue service for Ireland.

I hope this provides a quick overview of who we are and what we are about. I am more than happy to take questions from committee members.

Chairman: Before calling the members in party sequence, I echo what Mr. Clonan said about the commitment to professionalism of his organisation. The 400 lives saved in the past year are very important and that work cannot be overvalued. Having a professional and voluntary membership is all linked up. It is all well organised. I acknowledge that the recent tragic accidents have been very difficult for the organisation. The whole country mourned the loss of Mr. Clonan's close and valued colleagues. I concur with his commitment to honour their memories by building a stronger, safer and more resilient rescue service.

Senator John O'Mahony: I thank Mr. Clonan for his presentation. I thank the Coast Guard for the work it does and the lives it saves. Often when we meet a Coast Guard vehicle on the road, people are not aware of the details Mr. Clonan has given this morning. I know there have been some television programmes in recent times. I was amazed by the work the Coast Guard does in extremely difficult conditions at high risk to its members. I join the Chairman in acknowledging the tragedies involving the loss of colleagues in recent times. Our sympathies go to all members of the Coast Guard. Any life lost is tragic but a life lost while trying to save others is especially tragic. As well as people employed professionally, the volunteers who work above and beyond the call of duty in many respects deserve great credit for putting their lives on the line. I did not realise until today the strong Coast Guard network involving helicopter rescue, hospitals and all of that.

Mr. Clonan commented on how the Coast Guard is resourced by the State. Is that a difficulty? Following tragedies have the recommendations from investigations always been followed up or is there an issue there? I wish to ask about the number of hoax calls the service gets. I was amazed when I got the figures for people making hoax calls a few years ago. There appears to be a lack of follow up or inability to follow up on charging people who bring out the Coast Guard services in such a way. Is that continuing to increase or has any action been taken on it? Those services are so vital for genuine cases. I was astounded by the number of hoax calls. Is that still an issue?

Deputy Kevin O'Keeffe: I welcome Mr. Clonan and his comrades. I wish him good luck in his term as interim director.

I also wish to be associated with the words of sympathy over the loss of lives in recent years. It is good that people can get up the following morning and continue to go to work in such circumstances. The Coast Guard is recognised as the fourth blue light emergency response service in the country. When we see the work it does, it must be near the top of the plinth.

As Mr. Clonan mentioned, the Coast Guard is dependent on the volunteers from the RNLI and the volunteers who operate under the coastal unit advisory group, CUAG. Do the witnesses have a good working relationship with the volunteers, especially from CUAG? Do issues arise in the organisation that have not been addressed? Have the volunteers raised concerns with the Coast Guard that have not been addressed? I cannot point to anything specific, given where we are, but have issues of malpractice been raised? I am interested to hear whether there are outstanding issues. Is it the case that the Coast Guard is not recognised as a special operations agency?

Mr. Eugene Clonan: We are recognised as the fourth principal emergency service.

Deputy Kevin O’Keeffe: As a statutory agency, should the Coast Guard not be separate from the Department? Would it be preferable for it to be totally independent of the Department? I will leave it at that.

Chairman: That is an excellent question. We will allow members to ask the questions first and then the witnesses may respond. If further issues arise, that is okay.

Deputy Catherine Murphy: I thank the witnesses for their presentation and for the work they do. From their description they are doing a lot with very little, given the size of the coastline, which is longer than the coastline of many European countries. We have a big ratio in terms of land to sea. There is a lot to be policed. We probably have a greater exposure.

How do we compare, for example in terms of the amount of resources and services, with other European countries? Are there typical countries with which we should compare ourselves or what is the ideal?

Could we have an indication of the fleet size and the number of cars, boats and trailers? Are there unmet needs? I am sure there is redundancy in some of the existing fleet as well. What is the full complement of operational staff? We have heard from the witnesses that there is a lot of training with volunteers, which is extremely important.

How is the cost recovered on joint missions outside the jurisdiction? How are the costs shared if there is a joint mission? If, for example, there is a big rescue in the Irish Sea and we have to call in our counterparts in the UK, is there compensation or does it balance out over time? Will there be any change in that regard in the context of Brexit? I presume there will not but it is useful to have a clear picture.

Whatever about running costs, the Coast Guard has upgraded a lot of out-of-date facilities since 1990. What is the position in terms of capital costs? We know, for example, what the expenditure is on sports capital grants. Is there a particular fund for that purpose? I hope it is all right that I have a good number of questions.

Chairman: There is no problem.

Deputy Catherine Murphy: We know there is a lease arrangement for helicopters. How often does the tender for the lease arrangement come up? What is included and how robust is

the tendering process? Is there much interest in it? Do different companies tender? Is it like with like? Is maintenance included? Does the Coast Guard hedge? Does it buy the fuel or is that part of the lease arrangement? I would welcome an outline of the lease arrangements.

Does the Irish Aviation Authority have responsibility for mapping hazards? What input does the Coast Guard have in the process? How regularly is the process updated? Is information added to the software all of the time? The witnesses might outline what the learnings have been in recent years in that regard?

Chairman: I do not wish to take away from anything Deputy Catherine Murphy said, but I wish to be very careful.

Deputy Catherine Murphy: My questions are very general.

Chairman: I am not suggesting Deputy Catherine Murphy has overstepped the mark but there are ongoing investigations and I do not wish anyone to comment on anything that might reflect on or be part of that. I do not have a problem with the witnesses answering any question in the way they want but I make a commitment that we will not stray into anything that has not been published or is not finalised.

Deputy Catherine Murphy: I assure you, Chairman, that I am not going there.

Chairman: It is a line on which I want to be very clear, but I appreciate Deputy Murphy's question. I will leave it up to the witnesses to answer if they so wish.

Deputy Catherine Murphy: It is useful to know how it works.

Chairman: It is an important question.

Deputy Catherine Murphy: I am asking it in a very general way. It was mentioned in the opening statement that inland waterways are included for rescue purposes. I was contacted some years ago by someone who was concerned that the Coast Guard was not used to help someone in distress in the River Liffey, as it happens. It was not in the city centre but in west Dublin. How is the Coast Guard called to deal with such incidents? Is it the air rescue service that is involved or are boats also involved? I had many such queries at the time.

We heard that seven members of staff are employed in Blanchardstown with three further people on the way. Are additional staff resources coming into any other aspect of the service? Has the Coast Guard asked for any staff that have not been provided? If so, I would welcome a comment in that regard.

Mr. Clonan indicated at the outset that the director of the Coast Guard is taking up an appointment with the EU capacity building mission in Somalia. I can understand there are particular issues in that regard in terms of why that would be a good initiative. What demands or calls are made on the Coast Guard in terms of the kind of expertise that is available on such missions? Is that unusual? Would it be taken up? I think it is probably a very good one. I would welcome an indication of whether it is something out of the ordinary.

Chairman: If needs be afterwards we can have a separate round of questions.

Senator Pádraig Ó Céidigh: Is mise an fear deireanach, fear neamhspleách agus Seánadóir. An féidir liom na ceisteanna a chur as Gaeilge?

Chairman: Lean ar aghaidh.

Senator Pádraig Ó Céidigh: Níl a fhios agam ach Gaeilge.

Mr. Caoimhín Ó Ciaruáin: No.

Senator Pádraig Ó Céidigh: I thank the witnesses very much for coming in. My comments are directed at the full team and the volunteers. Something that is important to me is “the world with you versus the world without you”. What that means is that the Coast Guard makes a significant difference to me. There is a big difference between the country with them versus the country without them. I know two or three people who benefitted from the Coast Guard’s work. It is very significant. There is nothing more valuable than to be involved in work that makes a real difference to people. As they say in America, we have first responders before us. I have great admiration and respect for what Mr. Clonan and his team do.

My questions will be somewhat in the same space as Deputy Catherine Murphy’s, but they will primarily relate to an area about which I know a little, that being the search and rescue helicopter service. Who has that contract? Who were the successful tenderers for the contract in the past 20 years? What is the overall value of the contract?

A Sikorsky helicopter is the type used. It is a fine helicopter and Canadian and American manufactured. Indeed, I believe it is the only type of helicopter that has been used for search and rescue operations in Ireland. In the majority of countries around the world, though, a European helicopter, the AgustaWestland AW139, is used. Why was it not considered? I do not have all of the details on me, but from memory of one of the tenders, the Agusta did not meet all of the pre-qualifying criteria. It has just over five hours of endurance and a range of 659 miles or 660 miles, but the one criterion it did not meet shot its tender out of the water. If I am right, that level of competition is very important.

I would also like to get a sense of the annual budget and what percentage of it the search and rescue helicopters cost. According to Mr. Clonan’s presentation, they flew 665 missions in 2018. How much did each mission cost?

I am not promoting AgustaWestland at all and have no relationship with any of those companies. I have some peripheral engagement with the Air Corps, though, and it bought six Agustas in 2006. By creating alternative win-win situations, there might be a way whereby we can be more effective, including cost effective, while continuing to do the Coast Guard’s amazing work. I am just asking questions that are intended to be outside the box to some degree.

Chairman: I am happy for Mr. Clonan to answer any question that was asked. There is no issue with that. Regarding Senator Ó Céidigh’s final point, though, I was interested in that contract and related issues, including its cost, some years ago. I believe the contract is due to go out again shortly.

Mr. Eugene Clonan: It is a ten-year contract. We can extend it for a further three years. We went into the contract in 2012, so it is due to expire in 2022. At the moment, we are doing a mid-term review of it.

Chairman: When will the extension-----

Mr. Eugene Clonan: We are doing a mid-term review and talking to our stakeholders to see if it is performing as we want it to. Of course, there are key performance indicators within

the contract. They are being monitored, but we are considering whether the contract has served our needs over the past five years and whether it will serve them over the next five years and beyond.

Chairman: There was a question about the helicopters themselves. Are they leased?

Mr. Eugene Clonan: I am not sure if they are.

Chairman: I believe they are.

Mr. Eugene Clonan: There may be a mix of ownership and leasing within CHC Ireland Limited.

Chairman: I understand, but I am not talking about CHC Ireland. I am referring to the State leasing them.

Mr. Eugene Clonan: The State does not own them.

Chairman: It costs approximately €30 million per year.

Mr. Eugene Clonan: Does the Chairman mean the value of the contract?

Chairman: Yes.

Mr. Eugene Clonan: Current spend on the five helicopters - one spare and four in use - under the overall contract is approximately €60 million. That is for the overheads - running the bases, paying the staff, maintenance of the helicopters, fuel, etc.

Chairman: Therefore, the original contract was for what? Will Mr. Clonan go over it again?

Mr. Eugene Clonan: The contract was awarded in 2011. There are four bases and we cannot just close-----

Chairman: I understand.

Mr. Eugene Clonan: It was for four helicopter bases - Shannon, Waterford, Dublin and Sligo.

Chairman: There is no issue with that. I am just trying to-----

Mr. Eugene Clonan: CHC Ireland won the contract. There was a process whereby it took over each base progressively. The contract award included S-92s, which replaced the old S-61s. The S-61s were very capable, but some of them had been flying since 1960, so were quite old aircraft. The S-92s were new aircraft. They are faster and more sophisticated and can fly in worse weather conditions. That is why we have them.

Regarding the Agusta, I was not involved in the contract process for the S-92, so I do not have the detail of the bits and pieces, but the requirement was to fly out 200 miles, remain on scene, take up a fishing vessel crew of approximately 17 people on the winch, and fly home again. The Agusta is a smaller helicopter.

Senator Pádraig Ó Céidigh: Yes. It is a lighter helicopter.

Mr. Eugene Clonan: I do not know how that line went throughout the evaluation process,

though, as I was not there.

Senator Pádraig Ó Céidigh: The problem is that the only helicopter that could winch up 17 passengers in what was called stretcher mode, which from memory was a requirement, was the Sikorsky. Unfortunately, the Agusta could only handle 15. That was one of the issues. I have no issue with the winner of the contract.

Mr. Eugene Clonan: Having said that, the contract is due to renew. We are doing a mid-term review of it and talking to our stakeholders. The whole service will be reprovisioned again in five to six years, as the contract will go back to the market. The specifications may change to suit a changing environment.

Senator Pádraig Ó Céidigh: I know, but I am just suggesting that it could be worthwhile in terms of value for money and so on to throw the net wider if possible.

Mr. Eugene Clonan: Yes.

Senator Pádraig Ó Céidigh: At €60 million, the 665 missions or sorties in 2018 equated to in the region of €90,000 per sortie, if my sums are correct. Maybe I am wrong, but that-----

Mr. Eugene Clonan: What is not there is the training. What the committee has in that figure entails the helicopters, four bases and different crews, as they are all on rosters. There are 37 or so pilots, approximately 40 crew members, engineers and a whole support structure behind the service. To maintain the helicopters, the service must maintain spares and so on. When the helicopter is on the ground, it requires maintenance. There are scheduled maintenance periods. If issues arise, people stand in.

We fly approximately 30 hours per month per base to keep the crews trained, that is, to keep their competencies up. The helicopters are flying to maintain their competencies. The missions are on top of all of that.

Senator Pádraig Ó Céidigh: Yes. It is an area I understand.

Mr. Eugene Clonan: The Senator is right. The overall cost divided by the number of missions gives that figure.

Senator Pádraig Ó Céidigh: An amount of €60 million per year for ten years is €600 million. It is a lot of money.

Chairman: And the helicopters stay with the owner.

Senator Pádraig Ó Céidigh: Is it a Canadian company?

Mr. Eugene Clonan: It is an Irish company registered in Ireland, but it is part of the Canadian CHC Helicopter group.

Senator Pádraig Ó Céidigh: It is an Irish subsidiary that Canadian shareholders or a Canadian company set up.

Mr. Eugene Clonan: Yes.

Deputy Catherine Murphy: The figure includes the salaries.

Mr. Eugene Clonan: Yes.

Deputy Catherine Murphy: It also includes fuel, maintenance and so on.

Mr. Eugene Clonan: It is an overall contract.

Deputy Catherine Murphy: By whom are the pilots and other staff employed?

Mr. Eugene Clonan: CHC Ireland employs the air crews, including engineers. The Department of Transport, Tourism and Sport has engaged CHC Ireland, under contract, to provide the search and rescue helicopter service. From our point of view, we have contract meetings three or four times per year. We audit contracts to a certain degree. The air crews are on 15 minutes' notice by day and 45 minutes' notice by night. We lift the telephone and call them and they go. They do all the maintenance and training. That is all in the terms and conditions of the contract.

Chairman: Everything is in the contract. Coast Guard officials call them and they go out. Are Coast Guard staff involved at any stage?

Mr. Eugene Clonan: If there is a large incident where we need to put people on board a ship or on the coast, we will use CHC to bring them along. CHC does search and rescue for us as well as surveillance in the event of pollution incidents. CHC staff train with the Coast Guard units and the RNLI to keep up their competencies and the competencies of the RNLI and our teams. They are all embedded within the search and rescue system.

Chairman: I take the point. Are there any other questions on the contract? Are people happy with that?

Senator Pádraig Ó Céidigh: I am happy with the information. I am delighted that a review has rightly taken place. Having said that, and notwithstanding what I said at the beginning, I am keen to highlight the absolutely amazing and fantastic work the Coast Guard team is doing. That needs to be at the forefront, as does the number of lives the Coast Guard has saved. That is important.

Deputy Catherine Murphy: The purpose of the ten-year review is to prepare for another tender or for an extension by three years. That is allowed for within the current tender. Is that correct?

Mr. Caoimhín Ó Ciaruáin: I can answer that question. What we are doing at the moment is looking at the ten-year contract. It is the largest component of spending in the Coast Guard. There is no question about it. It represents approximately 85% of the overall amount of money. It is a significant spend and it is one of the largest contracts in the State. There is no question that it is a significant amount of money. It was tendered internationally against specific requirements. The development of the tender at the time involved the proposal being run through many hoops to get it to the point where it was ready for tender.

I was asked about the mid-term review. We are looking at the contract as it exists and whether it is delivering what we want and what we intended at the outset. Part of this relates to the machines and the helicopters while part of it is the built-in resilience that is there. We are paying a premium for a level of contingency and concurrency in the contract. In the event that something, God forbid, happens, then we require a certain amount for that. That is in the contract and we are paying a significant amount for it. It is a requirement of the contract. The mid-term review is looking at the existing contract, whether it is delivering the key performance indicators that we intended at the outset and whether adjustments can be made within the contract for the remaining element of the contract.

The question of extension arises and a decision will have to be taken on that. Other extraneous issues arise relating to the contract and other issues that may impact over the course of the year in terms of other investigations, etc. That is also part of what we will have to consider. Part of this process involves looking at how we set up a new contract and what parameters might change or vary. The Senator is correct. The mix of helicopters and the model will be looked at in terms of the value for money we are getting from the existing model. The mix of bases, the type of helicopter and so on will be part of that discussion. That is not a matter for right now because we are looking at the contract, but all the information that we are gathering will inform the next stage.

This is a lengthy process. The contract is worth €600 million plus over ten years so there will be considerable interest in it. However, as members will probably know, there is a small pool of companies internationally which provide this service. We have a specific model under which the contracted company will private and not military. Many jurisdictions use the military to perform this service. The Air Corps would have done it in the past. The decision to exclude a military provider will be reviewed as part of this process as well. All the models for delivery of the service will be looked at in terms of what delivers the best value for money. That is our primary consideration.

Senator Pádraig Ó Céidigh: I appreciate that and I thank Mr. Ó Ciaruáin. I know he is 100% on that and that will happen. That is really important given that €600 million is at stake. I am not saying the contract should automatically go to the Air Corps or anything like that, but the Air Corps has six AgustaWestland AW139 helicopters already in operation. The choice and options for the Department are important in terms of making the best possible decision and I know the Department will do that.

Chairman: Do you wish to comment, Mr. Clonan?

Mr. Eugene Clonan: When Senators and Deputies were asking questions I wrote them down. I will try to gather them up as we go along. The next thing we will look at is funding.

Mr. Caoimhín Ó Ciaruáin: I will take that. I will explain who we are. I am head of the maritime services division, which is in the Department alongside the Coast Guard. We are on the same corridor. We work closely with Mr. Clonan and his colleagues. At least half of the maritime services division is essentially corporate support for the Coast Guard. We cover much of the administration and similar functions, including the financing, budgetary matters and procurement, which was just discussed.

Approximately €74 million in funding is allocated annually to the Coast Guard. Approximately 85% of that is for the helicopter contract. That figure is variable and can go up or down. Other significant expenditure items include volunteer training exercises, equipment, maintenance and renewal. Information technology is increasingly important and there is considerable investment in that. Volunteer payments are made. We pay volunteers for their time and for doing exercises, etc. They are the essential component parts.

The building programme is also relevant. Deputy Murphy asked about the capital element of the budget. A large part of the capital is for the building programme for Coast Guard units. I would describe that as lumpy from one year to the next, depending on what projects can proceed and so on. The Coast Guard works closely with the Office of Public Works on the building programme. Most of the units are part of an OPW building programme. It is a partnership.

Deputy Catherine Murphy: Is it a strategic plan?

Mr. Caoimhín Ó Ciaruáin: It depends on the level of funding available and so on, but it has never been the case that a Coast Guard building could not proceed for lack of money. The Deputy asked whether there were any areas where we were under pressure in terms of funding. I worked previously as the finance officer in the Department. Part of the problem with the Coast Guard building programme is the question of being in a position to spend the money. Often we have had to carry over money from one year to the next.

Deputy Kevin O’Keeffe: Is it the Department or the Coast Guard which decides how the building money is spent?

Mr. Caoimhín Ó Ciaruáin: The Coast Guard decides.

Mr. Eugene Clonan: We have approximately 60 buildings around the coast, which we inspect and manage. In the past 20 years, we have built 16 new stations to replace the old stations. Back 20 years ago we only had the old rocket houses. I am unsure whether committee members know what the rocket houses look like, but they are basically garages. They were built at the turn of the 20th century. A cart and some equipment were kept in these garages. That is what we inherited when the State was formed. Then, 20 years ago we started to spend more money on these buildings. Of the 60 buildings we have, 16 have been replaced with state-of-the-art buildings. I read a newspaper cutting which referred to a lack of toilets, sanitary facilities and so on. That was a reference to the old rocket houses, of which there are 16 around the coast. Included among the 44 units are rocket houses that are sub-units to the main unit. They have a main meeting room and so on whereas the rocket house on the coast will be used as a storage area. The OPW carries out all our maintenance and building projects. It has inspected all these external buildings in respect of the sanitary and toilet elements. We cannot do anything with some of the buildings because there is insufficient surrounding land to extend or there may be planning issues. In other cases, there is a main building and the old units are used for storage only, which means it is not necessary to install sanitary facilities. We are looking at these units and in cases where we have identified that sanitary facilities or running water need to be provided, we have an active programme to implement that. Where we cannot do that, we put in place temporary facilities. Where we cannot do that, the best thing is for the local team to use that building as a garage, which it is, and meet in the local hotel or community hall. We will fund that so people are out of the weather when they are doing their training. I mentioned the three-function and dual-function units and they mostly have good facilities. It is the single function units that have problems. There are 16 of those. We prioritised busy buildings but we are now looking at those 16 units to see where we can improve conditions.

Deputy Kevin O’Keeffe: I will take a micro-detailed approach. In Cork, on the coast off Kinsale, a value for money report was commissioned that found the Summercove station should be closed and the Oysterhaven unit purposely built up. There was also mention of sharing purpose-built buildings with the RNLI. Why was the Summercove station kept open when it was supposed to close?

Mr. Eugene Clonan: I have the capital programme and the refurbishment programme for the renewal of Summercove. Regarding building projects at Summercove, in 2018 a six-figure sum was allocated to refurbish that station and work commenced in the first week of January 2019. We have a programme of refurbishment-----

Deputy Kevin O’Keeffe: There was a recommendation to amalgamate units along that

coastline.

Mr. Eugene Clonan: I will pass over to my colleague, Mr. Niall Ferns, to answer that question. He is closer to that issue than I am.

Mr. Niall Ferns: There was an amalgamation programme over several years. Stations such as Greystones and Wicklow and Courtown and Arklow were amalgamated. In many cases, however, we were able to hold on to the second building. That might not be the main building in many cases. Let us take the example of Carnsore and Rosslare. Those units were amalgamated, as well as Summercove and Oysterhaven and Toe Head and Glandore. We have had a significant number of such amalgamations. In many instances, however, rather than shutting down the small station - because its geographical area or border spread out - buildings were retained because we still have to cover the same amount of coastline.

Teams were amalgamated but for operational efficiency, it made much more sense to retain buildings. There are some buildings within the amalgamated units, therefore, into which we still want to invest some money. There is no work on a new building going on at Summercove. That work is under our maintenance programme and we got it across the line in 2018. We are spending some money on that project to bring it up to the standard we want. Units have been amalgamated but in several instances the smaller building, the smaller outstation, is still retained. That is how the amalgamation worked in that situation.

Deputy Kevin O’Keeffe: I accept the answer from Mr. Ferns.

Chairman: By way of history, a first cousin of my father was the rocketman in west Kerry. He was in Ballydavid where the coastguard station was burnt during the Troubles. For many years, he used to have the only telephone in the village and he was the person who went up to see if there was a ship in distress. He used to climb the sort of pole to fire the rocket and carry out all of the other aspects of the role. There is great history attached to people who gave that service over the years. I acknowledge that now.

Mr. Eugene Clonan: When I came into the service, Mr. Ferns was also one of the volunteers in the Greystones unit. We had the telephone bills for the number one men, as they were called, around the country. They have now been replaced by Android mobile phones, so we are getting there. When we went around the coast we were able to preserve some of what we found, such as the old rocket carts, and pass that material on to the local communities.

Chairman: That is excellent.

Deputy Catherine Murphy: Mr. Clonan said one of the problems is being able to spend the money. Is the work carried out by the Office of Public Works, OPW? Is it the OPW that does not have the capacity to spend the money? Is it the volunteers or who is it?

Mr. Eugene Clonan: If I might take that question along with some of the others already asked, funding for the Coast Guard has increased in recent years from €66 million to €77 million in 2019. We were formed in 1991. Recalling recent history, in 2008, and during the fiscal crisis, we were one of the only divisions within the Department that maintained our expenditure and our budgets throughout that period. They were not cut at all. Staff numbers also increased.

During the fiscal crisis, there was a high staff turnover in our rescue co-ordination centres because people were nearing retirement. We recruited throughout that period. We have always, therefore, been very positively supported by the Department in respect of funding and staff

replacements. In our building programme, the complexity of planning and the required interactions with the planning authorities can be imagined. We normally, therefore, have two to three building projects, one slightly ahead of another, stepped to try to get the programme going. We have built 16 station houses in recent years.

Deputy Catherine Murphy: I wish to address the issue of the OPW.

Mr. Eugene Clonan: Yes, that is fine.

Deputy Catherine Murphy: The OPW makes the application to the local authority and it has a great deal of experience with property and building projects. One of the things that drives us nuts is money allocated but not spent. It is a big deal to get a commitment. What is the impediment? Is there something that could be streamlined so that when money is allocated it is actually spent? If being in a position to spend the money is the issue, as Mr. Clonan said, has that been analysed?

Mr. Caoimhín Ó Ciaruáin: I will come in on that. This is an issue across the board, as Deputy Catherine Murphy knows. There are certain bottlenecks in the system regarding the capacity to design these buildings and make sure they are fit for purpose. That is now an even greater consideration than perhaps it was in the past. The design level of these new buildings is state-of-the-art.

Deputy Catherine Murphy: That is fine.

Mr. Caoimhín Ó Ciaruáin: That is an issue. We are not going to invest in something we are not completely happy meets all of the requirements.

Deputy Catherine Murphy: I would expect that.

Mr. Caoimhín Ó Ciaruáin: To put it one way, the level of ambition with the building programme is high but actually delivering that level requires certain things to be met. That means we move money from one year to the next.

Deputy Catherine Murphy: Can we get a note on the strategic investment and what was not spent? We might have a better idea then of how things stand. We can talk about it or consider it then, so that we can get on with the meeting. It is useful to have a look at the profile of that spending.

Chairman: Yes, of course.

Deputy Kevin O’Keeffe: Mr Ferns mentioned the Greystones unit earlier. Did work at the Greystones station entail obtaining more land and new property? There are locations down the coastline that are just as attractive. Why choose Greystones?

Mr. Niall Ferns: I can take that question. Greystones was a unique situation. As Deputy O’Keeffe knows, there was a harbour development there. I was very involved in trying to get the Coast Guard station across the line for many years. A whole community section has been built in Greystones harbour. Six organisations have been put in a section of the harbour and we have a state-of-the-art facility to go in there. We got it across the line this year, so it is well under way but it is on a dedicated site which sits on the old pier in Greystones. Technically, that caused much additional work in preparing the station to go in. We are delighted that the Greystones station is across the line and will be in a state-of-the-art location within the harbour.

Mr. Eugene Clonan: Where possible, we try to have these station houses in the centre of the community where people live and where activity takes place. In the event of a search and rescue operation then the station is close by and not back out the road.

Deputy Kevin O’Keeffe: That is urban-rural divide talk.

Mr. Eugene Clonan: Well, it is where the community lives.

Deputy Kevin O’Keeffe: That is fine.

Mr. Eugene Clonan: Did I go through all of the funding and resourcing issues? Deputy Catherine Murphy spoke of search and rescue and costs, and, in particular, a comparison of costs between us and the UK. We do not charge for search and rescue. That is our ethos and that is the ethos throughout the world. In years gone by when we had no helicopter service the UK Coastguard used to provide that service. As it did not have helicopters, the RAF and Royal Navy bases on the west coast of the United Kingdom provided the service. Today we have a helicopter search and rescue service. The RNLi does not charge us for providing a service. The Irish Coast Guard units are funded by the State. If we send a helicopter into Northern Ireland, possibly up hills, as often requested by the marine rescue co-ordination centre in Belfast, we do not charge for the service. In the case of a pollution incident, the principle is that the polluter pays. If there is a pollution incident involving a ship casualty or which requires us to hire tugs or salvage firms, we recover the cost of the operation from the ship owner.

Deputy Catherine Murphy: Have such incidents occurred?

Mr. Eugene Clonan: Yes. We have dealt with such incidents. Some years ago, soon after the sinking of the tanker *Prestige* off the coast of Spain, the *Princess Eva*, an 80,000 tonne tanker, was sailing from Murmansk across the Atlantic to Houston, Texas, to offload a cargo of crude oil. It had cracks in its deck. There was an accident off the coast and two crew members were killed. A life raft had broken loose in heavy weather. The captain sent three crew members to secure it, but they were hit by a wave and two of the crew members lost their lives. The tanker anchored in Donegal bay to sort out the problem, repatriate the bodies and get other crew members aboard. Cracks were then found in its deck. Members of the Marine Survey Office went aboard and determined that the ship was not capable of going to sea as it would break up. We had to transfer all of the cargo from the vessel onto another ship and make temporary repairs, which took 40 days. All of the expenses incurred by the State in that operation were recovered from the owner.

Deputy O’Keeffe asked about the coastal unit advisory group, CUAG, as well as the wider coastal unit group, grievances and so on. We greatly value our volunteers and work very closely with them. They are our colleagues. There is no difference between full-time staff and volunteers in how we operate together. Given that we have 1,000 volunteers, it is reasonable to ask how we manage and operate with them. Our coastguard code sets out the agreement on how we act and volunteers act for us. Like every organisation which uses volunteers, we require procedures for how we negotiate and operate together. The code of practice is based on best practice. I have spoken to representatives of Concern, Trócaire and other volunteer organisations about their HR procedures and processes and I am satisfied that ours are best in the class. In working with our volunteers the coastal unit advisory group has been in existence for several years. Six officers in charge are elected by volunteers around the coast and their job is to present the views of all units. The six members are selected on a geographical basis and serve for a period of three years. The group is representative of coastal search teams, boat teams and cliff

units. It regularly meets the national volunteer servicing manager and the director annually. I attend all of the meetings. Additional meetings may be called by the CUAG or management, as necessary. To date, the structure has proved to be an effective forum for advocating on volunteer issues. It deals with several issues. For example, if we wish to introduce new equipment, we discuss with the CUAG whether that would be acceptable. Ideas for better ways of doing things around the coast can be presented at that forum and worked through. We do not implement new procedures or introduce new equipment for volunteers, of which they are unaware. We negotiate to ensure the changes are palatable and will work.

In addition to the CUAG, there are three meetings held annually in each sector which are attended by all volunteers in that sector. The meetings are a round table forum at which issues or problems can be presented and talked through. It is like a community hall-type forum, at which everybody gets issues off his or her chest and we can see what we can do, as well as determining where we have fallen down and what we are doing well. In addition, there are six coastal unit sector managers. How many units does each manager have?

Mr. Niall Ferns: Six to seven.

Mr. Eugene Clonan: The coastal unit sector managers are responsible for initial face to face management. Our annual conference takes place on a Friday, Saturday and Sunday and is attended by all area officers and particular issues are gone through. It also provides an opportunity for the volunteer area officers to meet the six elected representatives on the CUAG. We now have three such meetings per year in order to increase communication with our volunteers and be aware of how they are getting on, which is very important. We have 1,000 volunteers.

Deputy Kevin O’Keeffe: I also asked about grievance procedures.

Mr. Eugene Clonan: There are grievance and disciplinary procedures, as there are in any organisation. Only approximately 1% of the 1,000 volunteers are involved in a grievance procedure. The rate is quite low when benchmarked against other organisations and it is low because we engage with our volunteers. A grievance usually involves two parties, but it may involve three or four. Those arising in a local community may become very raw and troublesome. Previously, we only had three managers on the coast and some grievances festered over time. Members may be aware of some such issues. We have recruited additional staff. In addition, to resolve particular issues we have taken on a HR company to review our manual which stands up to best practice and carry out mediation and try to work grievances through the process. If mediation does not work, there is still a process to be gone through which involves warnings, appeals and so on. That is the process and we work through it.

Deputy Kevin O’Keeffe: Very good.

Senator John O’Mahony: Will Mr. Clonan address the issue of hoax calls?

Mr. Eugene Clonan: We do not have many hoax calls compared to other emergency services. Hoax calls normally come through the 999 system. When we receive a call, we have three people on watch. The search and rescue, SAR, mission co-ordinator takes the call and asks the usual questions such as where is the caller. He or she will very quickly find out whether it is a hoax call. In the case of persistent hoax calls we identify the number, contact the provider of the GSM or landline service and ask it to block the number. There is a process to be gone through in that regard. If a person is responsible for hoax calls over a significant period of time, we contact the Garda at its communications centre on Harcourt Street.

Senator John O'Mahony: Have there been prosecutions?

Mr. Eugene Clonan: Not for making hoax calls to the Irish Coast Guard. There may have been prosecutions for making hoax calls to other emergency services such as the National Ambulance Service, the fire service or An Garda Síochána, but as I do not attend those meetings, I am not aware of such prosecutions. My search and rescue operations manager would be able to answer that question.

Senator John O'Mahony: A difficulty for emergency services is balancing the possibility that a call is genuine and a life is at stake against the possibility of it being a hoax. How do the services know that it is a hoax call?

Mr. Eugene Clonan: If a life is in danger, we must respond. Our teams go out, carry out a risk assessment and perform their job in a safe manner to effect a rescue.

Senator John O'Mahony: Teams responding to a hoax call may be needed elsewhere.

Mr. Eugene Clonan: We have to respond to many such calls because we do not know for certain until we are on the scene.

Senator John O'Mahony: That is the point I am making. Does the Irish Coast Guard respond to many calls which turn out to be a hoax?

Mr. Eugene Clonan: The search and rescue mission co-ordinator is usually able to weed out hoax calls, but there have been occasions when we responded unnecessarily. For example, there was an incident in north County Dublin which involved the activation of an emergency position indicating radio beacon, EPIRB, carried by aircraft and ships. The signal was received by a satellite and relayed to a mission control centre and we were alerted. The beacon transmits the position and name of the vessel. We rang the owner who stated he had sold the boat years previously. However, as it was still a distress call, we dispatched a helicopter. As the EPIRB was in a garden shed, we were able to pick it up. It was an accidental activation. If it was malicious-----

Senator John O'Mahony: I am referring to the malicious ones.

Mr. Eugene Clonan: If something happens to people because our team is in the wrong area because of a malicious activation, we have to take a case against those concerned. We have not had to do so, but it is a step we would take.

Senator John O'Mahony: When a call is made, do names have to be given? Can people make a call to say there is-----

Mr. Eugene Clonan: If it is a real incident, the callers will give the details. That is where the SAR mission co-ordinator comes in.

Senator John O'Mahony: They get the details of who is calling.

Mr. Eugene Clonan: Yes, if they can. During some calls the line might go dead after someone says he or she is in distress and states his or her position. If he or she is a genuine caller, he or she will give as much information as he or she can, if possible. If it is a hoax call, the staff at the desk will know that they are not getting the right response.

Senator John O'Mahony: But they must still err on the side of responding.

Mr. Eugene Clonan: Yes, of course.

Senator John O'Mahony: I am coming from a position of concern for the great service provided by the Irish Coast Guard.

Mr. Eugene Clonan: Calls which we call "incidents" are logged on the system. If the SAR mission co-ordinator has an issue with any of them, he uses a comments section and the matter is taken up by his manager. We close out and chase them.

Chairman: The point is that the team goes out in good faith. Obviously, it has to be assured of the facts, in so far as they can be obtained, but, on balance, it goes out if in doubt.

Mr. Eugene Clonan: Yes, that is it. Every call-out is based on a risk assessment. When the team goes out, we assess the risk. If it cannot go out for safety reasons, it cannot go out.

Chairman: I understand that. It is obviously a rescue service.

Deputy Kevin O'Keeffe: I asked whether the Irish Coast Guard believed it should be a separate statutory agency?

Chairman: From under the wheel of the Department.

Deputy Kevin O'Keeffe: Yes. Will the delegates comment on whether the Irish Coast Guard should be given more autonomy? I do not believe the NTA is within the Department-----

Chairman: It is a political decision.

Mr. Eugene Clonan: I can answer that question. Deputy Troy has a Bill on the books. On a number of occasions in recent years the Minister has heard views on the case for a stand-alone statutory authority. At the time in question the Minister was not convinced of the net value added. Once the Bill makes further progress, he will certainly be happy to provide his considered views on the merits and demerits of the proposal. My position, as acting director of the Irish Coast Guard, is that it is a policy decision. I get on with my job. We have the legislation, the SAR framework. We also have the interim report of the Air Accident Investigation Unit and a final report is due soon. We have the report of the Marine Casualty Investigation Board and there are issues therein that need to be reviewed and are under review. Certain issues with which we need to deal may be highlighted.

Chairman: I presume the matter will come back to us as a committee in that context.

Deputy Kevin O'Keeffe: If we are still here.

Chairman: Of course, we will be and I hope we all will be.

Mr. Eugene Clonan: Deputy Catherine Murphy raised the issue of the director going to Somalia. The Irish Coast Guard is an international SAR organisation. We are part of the joint working group on SAR of the International Civil Aviation Authority and the International Maritime Organization. Both aviation and maritime aspects entail SAR. The group writes the guidelines and booklets for the worldwide audience on how to carry out SAR operations. Within the group there are opportunities for SAR personnel from more developed nations to travel to Third World countries to assist, particularly in Africa and such places. There are opportunities to assist other countries in determining how to make progress. Mr. Reynolds has gone to Somalia as part of an EU mission to help in capacity-building in SAR and security coast

guard-type business.

Chairman: That is welcome. It is very advantageous that we have somebody of his calibre to provide that skill.

Mr. Eugene Clonan: Absolutely and we should be proud of it.

Chairman: It adds to the credibility of the organisation that its capacity at that level is needed.

Mr. Eugene Clonan: It shows that we are well regarded within the IMO community.

Chairman: Absolutely

Mr. Eugene Clonan: We attend the IMO in London to make conventions, rules and regulations and improve the SAR response.

Chairman: I thank Mr. Clonan for his comprehensive presentation and answering the questions put to him. I pay tribute to him and his staff for their work, professionalism and bravery in keeping us all safe and saving lives. I pay tribute, in particular, to the over 1,000 volunteers, with whom he works, for their commitment and professionalism in keeping us safe and saving lives. We look forward to engaging with Mr. Clonan again in the near future. I presume that when the review is complete, or at the appropriate stage, he will revert to us on the helicopter issue, the contract, which is important.

Mr. Eugene Clonan: I was delighted to have the opportunity to give members the background to what was happening in the Irish Coast Guard. If they wish, they are more than welcome to come to our marine rescue co-ordination centre on Leeson Street to see how we do what we do.

Chairman: We will be delighted to avail of that opportunity.

The joint committee adjourned at 12.25 p.m. until 1.30 p.m. on Thursday, 6 February 2019.