



# SEANAD ÉIREANN

*Déardaoin, 6 Deireadh Fómhair 2005.  
Thursday, 6 October 2005.*

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

*Paidir.  
Prayer.*

## Business of Seanad.

**An Cathaoirleach:** I have received notice from Senator Coghlan that, on the motion for the Adjournment of the House today, he proposes to raise the following matter:

The need for the Minister for the Environment, Heritage and Local Government to give an update in regard to the situation of the native red deer species in Killarney National Park and the vicinity thereof.

I have also received notice from Senator Brennan of the following matter:

The need for the Minister for the Environment, Heritage and Local Government to give an up-to-date report on the Adare-Patrickswell sewerage scheme, County Limerick, and the preparation of contract documents.

I have also received notice from Senator Terry of the following matter:

The need for the Minister for Arts, Sport and Tourism to report on the provision of sports facilities and headquarters for national sports organisations at the State owned lands at Abbotstown.

I have also received notice from Senator Finucane of the following matter:

The need for the Minister for Education and Science to outline when she anticipates construction will commence at Kilfinane primary school in County Limerick and the current status of this project.

I have also received notice from Senator Bannon of the following matter:

The need for the Minister for Arts, Sport and Tourism to clarify the position regarding funding of genealogical projects by the Irish Genealogical Project, as funding of projects other than its own seems not to be within the remit

of the IGP, precluding all other projects and effecting a situation which is adverse to the advancement of Irish genealogy.

I regard the matters raised by Senators Coghlan, Brennan, Terry, Finucane and Bannon as suitable for discussion on the Adjournment. I have selected the matters raised by Senators Coghlan, Brennan and Terry and they will be taken at the conclusion of business. Senators Finucane and Bannon may give notice on another day of the matters they wish to raise.

## Order of Business.

**Ms O'Rourke:** Before outlining the Order of Business, I wish to comment on the arrangements for this afternoon. The Taoiseach will be here from 12.45 p.m. to 1.30 p.m. and the Minister of State at the Department of the Taoiseach, Deputy Tom Kitt, will be here from 1.30 p.m. to 2.30 p.m. I am anxious that the spokesperson of each group has a chance to speak when the Taoiseach is present so that he can hear those Senators' views. The proposed timeframe will facilitate that. I hope that is in order with Members.

The Order of Business today is Nos. 1, 2 and 3. No. 1 is a motion, to be taken without debate, referred to the Joint Committee on Justice, Equality, Defence and Women's Rights which has completed its deliberations; No. 2 is statements on the Corrib gas field to be taken on the conclusion of the Order of Business and to conclude no later than 12.45 p.m. Spokespersons have ten minutes each and other Senators have seven minutes each. Members may share time. The Minister will be called to reply no later than five minutes before the conclusion of the statements; and, No. 3 is statements on Northern Ireland will be taken at 12.45 p.m. to conclude at 2.30 p.m. Spokespersons or leaders of the groups have six minutes each and all other Senators have five minutes each. Members may share time.

The Taoiseach will be in the Seanad next Thursday for the debate on Europe from 2 p.m. to 4 p.m.

**Mr. B. Hayes:** I thank the Leader for making those arrangements for statements on Northern Ireland, a debate which has been sought by Members from all sides of the House for some months. Does the Leader know when the tribunals of inquiry Bill will be brought before the House? The Bill is intended to regulate the costs to the Exchequer of barristers and solicitors who represent various parties before tribunals. However, we need new legislation not just relating to costs for barristers and solicitors but also to regulate the costs of consultants who work for Departments. This year in excess of €100 million will be spent by the taxpayer on consultancies in Departments. We must call a halt to this now.

[Mr. B. Hayes.]

Legislation is needed to regularise the way those costs are established and value for money audits are required to ensure that we get far better value for money than has been achieved in the past.

The Taoiseach openly told the Dáil yesterday, with regard to the PPARS project, that the consultants were paid too much. The Tánaiste and Minister for Health and Children, Deputy Harney, described the payments as “extraordinary and excessive”. The aforementioned are the CEO and deputy CEO of Ireland plc and they must explain who bears responsibility for this mess. This is an endemic problem in Government in recent years, particularly the last eight years, with major decisions being hived off to consultants who are delighted to do this work for Government. It has a very negative effect on the Civil Service and public administration and goes against the strategic management initiative that the Government has promoted in recent years. We need root and branch reform and new legislation in this area to ensure better value for money so that the taxpayer is not ripped off in future.

There is an item on the Order Paper of the Dáil today welcoming an initiative by US Senators John McCain and Edward Kennedy to introduce a new Bill to help the undocumented Irish living in the United States. The Leader and other Senators are part of a sub-committee of the Oireachtas Joint Committee on Foreign Affairs that has been working on this issue. The motion before the Dáil today is an all-party one and I ask the Leader to provide time in this House next week to have a debate on the issue because there is strong interest in it among Senators from both sides.

**Mr. O’Toole:** I wish to make another request of the Leader that we discuss the Irish Ferries issue. I raised the matter yesterday and later in the afternoon I heard a remarkable statement from IBEC blaming the trade unions for the proposals from Irish Ferries management. That is a bit like blaming Strongbow for coming ashore in 1169 and causing the 30 years of struggle in Northern Ireland. I have also become aware of a more serious proposal emerging from Irish Ferries. It appears that it intends to re-fit its ships and have done a deal to exploit thousands of workers from South America. They are planning to put vents along the sides of their ships, chain the workforce to the car decks, fit them out with oars to save on fuel and pay them in mirrors, bottles of whiskey and tobacco. This will save thousands, if not millions per annum, allow the company to continue in operation and save the economy. We should all look forward to the next dastardly proposal from Irish Ferries. Apparently, the chief executive of IBEC is prepared to sit on top of the pile with his whip to ensure that

the Captain Bligh of the Irish economy will get further blood, sweat and tears out of its workforce. We need to discuss what is going on here and the difficulties facing the economy if we allow the management of Irish Ferries to run riot and bring us back not just 20 years, but much farther.

**Mr. Ryan:** Senator Mooney and myself were part of an Oireachtas delegation that met Senator McCain recently. He told us that it would be helpful if there was all-party support in both Houses of the Oireachtas for himself and Senator Kennedy. I support the call from Senator Brian Hayes for a debate and I am sure the Leader will be more than happy to facilitate us, particularly as Senator McCain has said that it would be helpful for him to be able to say, on the floor of the House in the United States, that he had the support of both Houses of the Irish Parliament.

We need to broaden the debate with regard to Irish Ferries. A very disturbing fact appeared in the recent tax figures released by the Government, namely, that even though there are an extra 90,000 people at work, there was no significant increase in income tax returns. This suggests that a large number of the extra people at work are being paid close to the minimum wage. If that is happening, we are further exacerbating the situation whereby the proportion of people at work who are poor is increasing while the proportion of people who are not at work and are poor is decreasing. That is not a great way to run a country, to have an increasing number of people who are poor and at work. We must examine this issue because if there is considerable displacement of Irish workers by immigrant workers who are forced, because of the absence of a welfare safety net, to work for whatever they are offered, then the situation is serious. We may see a scenario where Irish people and immigrants will end up competing for poorly paid jobs, in a race to the bottom. That is not what anybody wants, or at least I hope that is the case.

The Government was, apparently, going to ban alcohol advertising but has changed its mind and is now going to work on a code of practice but codes of practice have never worked. I have spent most of my political career watching the tobacco industry promise code after code of practice. I know of one major player in the drinks industry which is funding a university study to find out about attitudes to alcohol, even though it is already spending approximately ten times more on its own private research. The university funding is simply a gloss to give a good impression. The company can already provide a wealth of attitudinal information because it spends a fortune on exploring its market. If we leave the control of alcohol advertising to those who make money from alcohol, there is only one, inevitable, outcome. We are now in a situation where a number of Government policies that I believe

were worthwhile, including imposing a tax on chewing gum and banning alcohol advertising, have been defused by intensive lobbying by industry. I am unhappy with the degree to which the Government is capitulating to industry lobbies on issues related to public health and the environment.

**Mr. Morrissey:** It was reported yesterday on a Dublin local radio station that the Minister of State at the Department of Transport, Deputy Callely, had a think-in with many people —

**Mr. Ross:** That is a contradiction in terms.

**Mr. Morrissey:** He had a think-in with all of the experts that have given us gridlock in Dublin in recent years. I was surprised by one of the items reported, that consideration was being given to removing some widened footpaths and mini-roundabouts that have been put into many housing estates in Dublin, at a cost of millions of euro. Such facilities were intended to force motorists out of Dublin, which is Government policy. I urge the Leader to arrange for us to have a discussion with Deputy Callely after his think-in with the transport experts who have given us gridlock in Dublin.

**Mr. B. Hayes:** Hear, hear. Welcome home, Senator.

**Mr. Morrissey:** I agree with my colleague, Senator O'Toole, that we need a debate on Irish Ferries. I raised the issue on the Adjournment of the House last night, and while I appreciate the response from the Minister for Communications, Marine and Natural Resources, we would all benefit from a wide-ranging discussion on where we are going with Irish Ferries.

**Mr. Finucane:** I support Senator Brian Hayes' comments on consultants. I raised the matter on a previous occasion in this House, when I referred to the former Minister for Health and Children, Deputy Martin, who had approximately 130 studies and reports carried out during his period as Minister. Many of those reports have gathered dust. Departments often adopt an easy approach to hiding problems by engaging consultants to examine them. There is inadequate recognition of the resources within Departments, which have employees who are qualified to carry out such studies. Over the last few days the debate on PPARS and its cost has focused attention on the area of consultancy, about which a more enlightened approach must be taken. I was appalled to hear the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, refer to excesses of expenditure as minuscule in the context of the overall budget.

Deputy Dempsey cannot be living in the real world if he regards €150 million as minuscule.

**Mr. Kitt:** The western railway inter-county committee held a meeting yesterday. That committee was founded by Fr. Micheál MacGréil approximately 25 years ago and has the support of local authorities from Sligo to Limerick. There was a strong feeling among committee members that, although there is much speculation about metro development, port tunnels and outer ring roads, there has been very little mention of the western rail corridor. The committee believes that a political decision to give the go-ahead for the corridor should be taken. As there is an underspend in the BMW region, will the Leader arrange a debate on this issue? It could be included in an upcoming debate on transport.

**Dr. Henry:** I have a front page article from the 31 March 1999 edition of *Medicine Weekly*, an Irish medical newspaper, dealing with reform of the Medical Practitioners Act 1978, which has been promised since the early 1990s. I do not know what one could call its problems now but the article states that the Department of Health and Children had many problems in 1999 and that it would take five or six years to introduce new legislation. That time has passed and both the medical profession and general public have asked that legislation be brought forward with speed, as changes are needed in how the medical profession is regulated. There should be more lay involvement in the Medical Council. Does the Leader possess any influence over the Department to determine whether the proposed legislation could be introduced to this House? Members from all sides would be willing to begin work on this issue. It is urgent legislation but if "urgent" means five or six years, we will wait another five or six years if something is not said to the Department now.

**Dr. Mansergh:** I would welcome a debate on the relationship between informed public service decision-making in a complex world and the use of outside consultancies, which is a form of upmarket outsourcing. The health system is experiencing problems with its computer system, which should make us reflect somewhat. We have decided to centralise the health service and abolish the health boards. We were promised this would lead to greater efficiencies but it is a rather obvious example of centralisation leading to considerably greater inefficiency in the short term.

I would not be surprised if eight health boards around the country were to develop different practices to a degree, which decentralisation is all about. A lesson we should learn is that changing structures do not necessarily solve underlying problems and can sometimes exacerbate them. Having said this, we are committed to working

[Dr. Mansergh.]

with the Health Service Executive. We want it to be successful and get over its teething problems. We should not have any illusions about the sources of some of the problems.

**An Cathaoirleach:** Does Senator Coghlan wish to speak?

**Mr. Dardis:** The Senator has moved to the backbenches.

**Mr. Coghlan:** I support remarks made by Senators Brian Hayes and Finucane regarding the hiring of consultants by various Departments. Over the past number of days, the Taoiseach has stated that much of this type of work within his Department was done by civil servants, all of whom are capable according to him, which I believe.

**Mr. B. Hayes:** The Senator is correct.

**Mr. Coghlan:** The Tánaiste has said that employing expensive consultants has become too much of a habit in Departments in recent years. It is quite obvious that the Taoiseach must issue a decree on this matter to all Departments. I am delighted to hear that his Department has such capable civil servants and am sure the same is the case throughout the Civil Service.

**Mr. Leyden:** Within a number of days a decision on the Nobel Peace Prize will be announced. Both Bono and Mr. Bob Geldof are in line for this prize and I hope they will be successful.

**Mr. B. Hayes:** And the Senator himself.

**Mr. Leyden:** No two men have contributed more to peace.

**An Cathaoirleach:** The Chair is of the opinion that the Seanad has no power over who will receive the Nobel Peace Prize. Senator Leyden should adhere to the Order of Business.

**Mr. Dardis:** I do not like Mondays either.

**Mr. Leyden:** The Chair is correct.

**An Cathaoirleach:** The Seanad has no influence in the matter.

**Mr. Leyden:** A Member of the House, the late William Butler Yeats, was a recipient of a Nobel Prize for Literature. I ask the Leader and other Members to agree to invite Bono and Mr. Geldof to address the House.

**An Cathaoirleach:** It is not a matter for the House, which I have explained to the Senator several times.

**Mr. Leyden:** I can see no reason they could not address the House on Third World aid.

**Mr. Bannon:** Will the Leader invite the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, to the House in order to debate the effects of the high cost of fuel on the economy? Consumer prices have gone through the roof recently. This year alone there has been a 30% increase in the price of heating oil and a 25% increase in the price of petrol and diesel at service stations throughout the country.

**Mr. Dardis:** It is inflation's fault.

**Mr. Bannon:** We must take action immediately as high prices are having a profound effect on our economy and the cost of living. The Government must reduce the rate of excise duty on fuels. If not, a very serious crisis will have occurred by the beginning of 2006. It is important to have a debate on this important issue. We need an anti-inflation package immediately and to roll back the cost of energy to services within our economy.

**Mr. Ryan:** We should ask Venezuelan President Hugo Chavez.

**Mr. Leyden:** The best prices are in Ballymahon.

**Mr. Bannon:** Insufficient time was given to Members to make statements on child care facilities yesterday. Will the Leader reintroduce the issue next week?

**An Cathaoirleach:** Yesterday's business was conducted in accordance with the Order of Business, which was agreed in his presence yesterday morning and called for the Minister of State at the Department of Justice, Equality and Law Reform, Deputy Brian Lenihan, to conclude no later than 4.55 p.m. The Chair acted in accordance with this order, which I hope will be clear to the Senator in future.

**Dr. M. Hayes:** I support the proposition to not only debate the employment of consultants by Departments but the entire strategic management initiative, as it would allow me to indulge one of my prejudices as a former civil servant, namely, the use of consultants.

**Ms O'Rourke:** Hear, hear.

**Dr. M. Hayes:** Departments should be allowed to build up their own capacities. It would involve not placing silly bars on the employment or remuneration of people.

**Mr. Ryan:** Hear, hear.

**Dr. M. Hayes:** There are cheaper ways to achieve one's aims. Individuals rather than large organisations can be brought in. On the matter of computer programmes, the only consolation is that this also happens in other jurisdictions. I have witnessed many such events. They all arise from people pursuing the Holy Grail of a universal system to answer all of their problems.

**Ms O'Rourke:** There is no such thing.

**Dr. M. Hayes:** People get saddled and ridden at Beecher's by consultants and we pay for it. I would welcome a debate on the matter.

**An Cathaoirleach:** There are eight Senators offering and eight minutes. I ask speakers to be brief.

**Ms Terry:** We are getting reports this morning of concern being expressed for children dropped off unsupervised at schools at least an hour before their schools open. This is a result of both parents working and needing to leave their homes earlier than should be the case because they must travel in heavy traffic to drop their children off at school at 8 a.m. or earlier in some cases. I ask that the Minister for Education and Science come to the House or that we address this issue and see if it is possible to put in place a system whereby, at the very least, children are supervised during this time. Following on from our debate yesterday on early childhood learning, this situation is a knock-on effect of the Celtic tiger and our lack of proper public transport and measures to enable people to balance work and life. Children are suffering in this situation, which needs to be addressed.

**Ms White:** I ask the Leader to arrange a most urgent debate next week on domestic violence against women. Two days ago, the  
11 o'clock Leader and I attended the launch of the statistics on the national helpline. One in seven women in Ireland suffers from domestic abuse. We need a serious debate with the Minister of State at the Department of Justice, Equality and Law Reform, Deputy Frank Fahey, who was superb at the launch of the statistics. He needs to come to the House and talk about how we can improve the Domestic Violence Act 1996 and how we can protect children from abusive fathers.

**Mr. Norris:** I ask the Leader if we could have a debate on Iraq. We have a tradition of looking at the situation in that country and current developments there are very worrying. Last week, American forces decided to enter the city of Haditha in military form and attacked two cars con-

taining families fleeing. Ten people were killed, including three children. Very little is done about keeping this under review. The British army also got itself into a very difficult situation in Basra with two undercover SAS agents who were disguised as Arab mercenaries and carried guns and ammunition. I asked what the Colombia Three were doing in Colombia and I ask the same question on the same principle about the British army in this case. What were these agents doing? This question was neglected by the British media.

We should examine the question of asylum seekers. A report in *Metro* magazine told the story of a young Nigerian man who came to this country five years ago. He applied for asylum and was turned down. He then applied on humanitarian grounds and was again turned down. He was served a deportation order and committed suicide, leaving a partner and a small child, whose fate is also uncertain. We are told that these people are not serious and that their stories are cock-and-bull. The situation was serious enough for the man in question to prefer to take his own life rather than be returned to Nigeria.

I support Senator Morrissey's call for a debate on the transport system in Dublin. It would be an opportunity for us to vigorously reintroduce, as this House did very effectively with support from all quarters, the notion of the only sensible solution — a metro.

**Mr. J. Walsh:** There have been a number of comments regarding the implications for the economy in general and employment in particular of the situation involving Irish Ferries. I support these calls for a debate but I ask for the debate to be broadened into the areas of industrial relations and partnership. While the Irish Ferries situation represents one extreme, the other side of that coin is the announcement yesterday that IMPACT would now join the medical unions in obstructing the introduction of a socially aware initiative by the Government, which is the introduction of 200,000 medical cards.

**Mr. Ryan:** They are not medical cards.

**Mr. J. Walsh:** If people are participating in partnership and availing of benchmarking, productivity should be a factor. That somebody is doing extra work should not be a means of extracting more money from employers. This does not happen in the private sector but is endemic in the public sector.

**Mr. Ryan:** A sum of €2,000 a day is paid for consultants.

**Mr. J. Walsh:** I ask for a debate on this issue.

**Mr. Feighan:** I join Senator Kitt in calling for a debate on the western rail corridor. Everything is

[Mr. Feighan.]

in place for this decision and it requires funding in the next budget. We need cross-party support on this issue. We know that Iarnród Éireann has been very slow to invest in the west of Ireland and it will have to be brought kicking and screaming to ensure that it does invest in the western rail corridor.

I agree with the call for a debate on US visas and the Bill proposed by Senators Edward Kennedy and John McCain. We all have constituents — mothers, fathers, brothers and sisters — who are concerned that their loved ones cannot return home for events like weddings and funerals. We need cross-party support on this very important issue.

**Mr. Hanafin:** I ask the Leader to ask the Minister for Communications, Marine and Natural Resources to address the House in connection with comparative pricing. The director of telecommunications regulation, Etain Doyle, has done a very good job in ensuring competition, particularly in the mobile phone market. With the different types of offers that are available in the landline market, such as weekend minutes, night rates, evening rates, looped rates and different times, it is very difficult for the consumer to know what he or she is comparing the offer with. It would be beneficial if there was a comparative register.

**Mr. Browne:** I support the call by Senator Brian Hayes for a debate on the PPARS system and the role of consultants. I am personally aware of a director of nursing in Carlow who retired over it because it was so unworkable. She was continually told that nurses on night time duty had to stop work at 4 a.m. and all her protestations and representations on the issue were ignored. I am also aware of a major factory in Carlow that used this system worldwide. While it has had some teething difficulties, the company has not spent €70 million on a consultant's report on it and it has worked well for tens of thousands of employees. There is certainly a big contrast between the private and public sectors on this issue.

I also agree with Senator Terry regarding the issue of children being left at school, an issue I raised previously. The fact that children are left off at schools before the official school starting time and kept at schools after school officially ends is a serious issue about which there appear to be no clear guidelines. I have put down questions and have raised the matter on the Adjournment. The answer we always receive is that it is a legal issue and depending on every case, a decision will be reached. It is time that the Minister for Education and Science came off the fence and gave clear guidelines to both teachers, schools and parents who must leave children in

school before the official start time because it is unfair on everyone involved.

**Ms O'Rourke:** I neglected to say that Members can share their time during the debate in the early afternoon.

Senator Brian Hayes raised the issue of tribunals. I know he raised the legislation on tribunals as a lead-in to his major point but I have the information about legislation on tribunals of inquiry with me. It will be published during this session by the Department of Justice, Equality and Law Reform and we will seek to have it introduced in this House. Senator Brian Hayes then called for legislation on consultants' costs. I think he said €100 million had been paid in such costs and that there should be legislation to govern this. I do not know if this is anticipated; other interesting comments were also made on that matter.

Senator Brian Hayes also asked about the undocumented Irish, which is the shorthand term we use. We discussed a debate on this issue this morning. The debate will be scheduled for either the coming week or the following week. We want to invite the Minister of Foreign Affairs, Deputy Dermot Ahern, to the House but his diary looks fairly full next week. We had already asked for this but I thank the Senator for reminding me. I accompanied some members of the Joint Committee on Foreign Affairs to Washington D.C., and we discussed the matter with Senator John McCain and others. Two Bills were mooted at the time but the current Bill won through. It contains a very good safeguard that allows Irish people to come back home to go to family events and return to the US. It is a very worthwhile Bill and Senator McCain has asked that the Houses of the Oireachtas support it. He would use this support in his promulgation of the Bill, which would be a good idea. We will hopefully have the debate next week. I will know later on.

Senator O'Toole raised the Irish Ferries debate and IBEC's role in it. I find IBEC's comments on this issue very disquieting. There may be faults on both sides but we do not know. We need to have a debate on the matter, rather than it being a brief item on the Adjournment. We will try to arrange a debate for next week.

Senator Ryan raised the issue of the Bill proposed by Senator McCain. We hope to consider the Bill next week. I thank the Senator for his support in this matter.

Senator Ryan said also that although there are more people in employment there is less revenue buoyancy from that employment. Thankfully, quite a number of people on low incomes have escaped the tax net following the last budget and I hope the same will be true of the forthcoming budget. That might explain this anomaly although I have not seen that aspect written about. The Senator, however, seeks an explanation.

I fully agree with Senator Ryan's point about alcohol advertising. All inducements to either smoking cigarettes or drinking alcohol should be muted. Codes of practice do not work for anything. They sound wonderful in theory, and I suppose everyone adopting them does so with good intentions but these whittle away.

It was a good idea to curb alcohol advertising because one sees on television images of cool young people going out drinking. There are also the advertisements sponsored by the Department of the Environment, Heritage and Local Government showing the outcome when someone who drinks and then drives. I am surprised one such advertisement has been dropped. I do not know whether it is a result of lobbying or something else.

Senator Morrissey wants the Minister of State at the Department of Transport, Deputy Callely, to come to the House. Think-ins are a good idea. Some Senators had a think-in recently but I do not know the outcome.

**Mr. Finucane:** We were here all night.

**Mr. B. Hayes:** We had round-table discussions.

**Ms O'Rourke:** We will invite the Minister of State to attend the House because the Senator wanted to raise other matters with him. The Senator also mentioned the issue of Irish Ferries.

Senator Finucane spoke about consultants. I recognise that he raised the matter last week as acting leader of the Opposition, before it had reached its present crescendo. He called into question the comments made by the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey. I was often caught in this situation. The problem is that one never hears the full sentence. A comment such as that made by the Minister is never put in context with the result that one is then regarded with odium. If one reads the full comment the seemingly wild comment makes more sense. That is how it works. I believe the Minister was the victim of that type of reporting.

Senator Kitt raised a query about the western rail corridor. We have a query too about the Mullingar to Athlone rail line and are preparing a strong case which I hope the Senators will support, as we supported Senator Kitt.

**Mr. Bannon:** Deputy Cassidy knows nothing about it.

**An Cathaoirleach:** Allow the Leader to speak without interruption please.

**Ms O'Rourke:** I will not be provoked. Senator Henry asked about the medical practitioners Bill. The urgent date now mooted seems to be mid-2006, which is not much comfort to the Senator.

Senator Mansergh requested a debate on the competency within the public service and the use of outside consultancies. I do not know how all of that could be managed in a debate but it is a useful suggestion which was also taken up by Senator Maurice Hayes.

Senator Coghlan said employing consultancies is too habit-forming. There is a case for considering this. Within Departments people might say they do not have the capacity to deal with an obtuse topic and send for Deloitte & Touche or whoever. This echoes Senator Maurice Hayes' point about the lack of capacity to deal with an issue. The consultants will be somewhat wary of tendering for those contracts for fear they will be criticised in the Dáil and Seanad.

**Mr. B. Hayes:** The Leader must be joking. It is the best money in town.

**Ms O'Rourke:** We are not allowed to talk about Senator Leyden's suggestion. The Committee on Procedure and Privileges decides who we invite to the House but we will bear the Senator's suggestion in mind. Are they going to sing or just come along?

**Mr. Leyden:** They are quite significant people.

**Ms O'Rourke:** Senator Bannon mentioned the price of fuel in the economy. I am equally concerned about the price of fuel for elderly people. Their fuel allowance is a fixed sum that does not even approach the price of a bag of coal. The Department of Social and Family Affairs must consider this in the context of the budget. Senator Bannon suggests dropping the tax take on fuel but that would simply be an excuse to increase the price again when there was less—

**Mr. Bannon:** It would be a case of the Government taking action.

**Ms O'Rourke:** Following on Senator Mansergh's point, Senator Maurice Hayes made a thoughtful contribution about building up capacity in the Civil Service. He suggested buying the competency into a Department, even if only on a contract basis. He also said there are computer glitches around the world. I had a feeling computers were not everything they were made out to be.

Like Senator Terry, I was alarmed to hear the report about children being dropped to school an hour before the school opened. I do not understand how that can happen because there are legal and insurance reasons why children cannot be supervised there. It is an issue which must be included in the child care debate of which it forms part. The Senator wants the Minister for Education and Science to come to the House to discuss this issue.

[Ms O'Rourke.]

Senator White called for a debate on domestic violence, which we hope to have. Senator Norris asked for a debate on Iraq. We are angling for that debate to take place next week too. He also made a point about asylum seekers, a topic we could debate. There will be a Europe-wide directive on asylum seekers. I had not realised the law in other countries is much more severe than it is here.

Senator Jim Walsh wants a debate on Irish Ferries. He also raised the matter by which we were all struck this morning, namely, the obstruction of the issuing of extra medical cards. Everyone in this House wants those cards to be issued. Professor Monaghan of the Society of St. Vincent de Paul spoke about the matter on "Morning Ireland" today, as did Gerard Barry from the Health Service Employers Agency who was adamant that it would happen. I hope it will.

Senator Feighan called for a debate on the western rail corridor and the visas for the undocumented Irish in America. Senator Hanafin wants the Minister for Communications, Marine and Natural Resources to come to the House to debate comparative pricing. There was also good report on that topic on "Morning Ireland".

Senator Browne mentioned the role of consultancies and the issue of young children left at school prior to school opening.

Order of Business agreed to.

### **Treaty of Amsterdam: Motion.**

**Ms O'Rourke:** I move:

That Seanad Éireann approves, in accordance with Article 29.4.6° of Bunreacht na hÉireann, the exercise by the State of the option, provided by Article 3 of the fourth Protocol set out in the Treaty of Amsterdam, to notify the President of the Council of the European Union that it wishes to take part in the adoption and application of the following proposed measure:

proposal for a Decision of the European Parliament and of the Council establishing for the period 2007 to 2013 the specific programme 'Civil Justice' as part of the general programme 'Fundamental Rights and Justice',

copy of which proposed measure was laid before Seanad Éireann on 1st June, 2005.

Question put and agreed to.

### **Corrib Gas Field: Statements.**

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):** I welcome the opportunity to

address the Seanad on this matter, which has seen significant developments in the past week.

**Mr. Cummins:** Will we be issued with copies of the Minister of State's speech?

**Mr. Gallagher:** I presume so; that is the intention. I will have to keep a close eye against delivery or, alternatively, wait until the copies arrive.

**An Cathaoirleach:** No, the Minister of State may continue. It is not a problem.

**Mr. Gallagher:** Senators will be aware that both sides in the dispute responded positively to the indication by the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, on Thursday last that the Government would appoint a mediator, provided both sides were willing to respond positively. The injunction has been lifted, and as Senators know, the five Rosport men have been released.

The Minister is now moving to progress matters further. Regarding the mediator, the Minister is in consultation with both sides in an effort to identify a person or body who might be willing to undertake that work. He intends that by this weekend a list of possible mediators will have been provided to both sides to establish their acceptability and see if a name can be agreed. As soon as that process has been completed, the mediator will start work. In the meantime, the two sides are adopting a very positive approach to resolving issues between them.

The Corrib gas field has been a high priority issue for the Minister and he is greatly encouraged by recent developments, which offer an opportunity for both sides to move forward. As a public representative in the west of Ireland, I have been keenly interested in the matter, and I share the Minister's sense of encouragement. I am also keenly aware that the Corrib pipeline is a major infrastructural project with the potential to play a significant role in the economic and social regeneration of Mayo and the north-west region. It will make a real contribution to sustainable development in the area in that it will act as a catalyst for the extension of the Bord Gáis distribution system to towns in the region; facilitate the improvement of the region's infrastructure, particularly its electricity supply and distribution network, thereby removing a major barrier to inward investment; and increase local employment, in both the short and long term.

The development will also increase Ireland's security of supply by providing a reliable and secure indigenous source of gas. With the current rise in oil prices, the strategic value of indigenous gas increases. However, notwithstanding the potential benefits, it is of crucial importance that the project proceed with the agreement of all the interested parties.

It was a source of great regret to me that five Rosport men were committed to prison as a result of their opposition to the proposed pipeline. Over the past three months, my colleague, the Minister, Deputy Noel Dempsey, has been endeavouring at every opportunity to create the conditions that would allow this matter to be resolved. During that time, and following contact with the five men through an intermediary, he ordered a full safety review of the Corrib on-shore, up-stream pipeline. The Minister also increased the monitoring and supervision of the project. On 25 August last, he appointed Advantica Consultants to conduct a safety review and, more recently, he announced a public consultation process, including a two-day public hearing in the locality, to take place on 12 and 13 October.

Senators may be aware that the Corrib issue was discussed in the Dáil on several occasions last week. The Taoiseach commented on the matter during Leaders' Questions, and I also addressed the House on the issue. The Minister also dealt with the matter in some detail at the Oireachtas Joint Committee on Communications, Marine and Natural Resources. The strong message from the various Oireachtas debates was that the issue needed to be moved forward. Late last week, the Minister contacted both sides in an effort to break the impasse and indicated to them that the Government would appoint a mediator if both sides were willing to participate in a mediation process. The Minister then called on both parties to create the conditions which would allow such a process to commence immediately. I am glad to say that both sides responded positively to the Minister's initiative. I share the Minister's hope that the progress made to date, along with the appointment of a mediator, will allow all those concerned to participate fully in the public consultation process of the safety review and to work together to resolve the difficulties that have arisen.

The safety review of the on-shore, up-stream gas pipeline is now under way. It will be thorough and comprehensive and will be carried out by independent, internationally recognised experts. Advantica, the successful bidder, is a world leader in the development and application of advanced hazard and risk-assessment technologies for gas pipelines. The review will examine critically all relevant documentation relating to the design, construction and operation of the pipeline and associated facilities.

Advantica has been asked to identify deficiencies, if any, regarding safety and make recommendations as to how those might be remedied. It is important that people with views relating to the safety of the pipeline should have the opportunity to have them considered by Advantica. That aspect is being addressed, and views are now being invited from local residents, communities

and any interested party. Advantica has visited the Corrib site as part of its work, and, as I have stated, a two-day public hearing will be held in Mayo later this month. The hearing will be chaired by John Gallagher SC. The hearing is an opportunity for everyone locally with concerns to clearly express them and ensure that all safety issues are brought to the attention of Advantica for full consideration.

I assure Senators that despite some media comments to the contrary, the safety review will most certainly deal with the issue of the pipeline's proximity to dwellings. Clearly, no safety review could take place without full consideration of that issue. That key question has been at the centre of genuine local concerns about the project. Advantica knows that the issue has to be dealt with fully and explicitly in its work, and it will be.

Local residents are also concerned about the ongoing safety of the pipeline if it were in place. It has been stated, incorrectly, that there is no State agency with specific responsibility for on-shore, up-stream pipeline safety. I assure the House that this is not the case. The Minister has specific powers regarding the safety of the gas pipelines and he will use all legislative mechanisms available to him to ensure that safety in installations and the operation of such pipelines are addressed and policed properly. The Minister also intends, as he outlined in the Dáil last July, that a clear regime for the operation and maintenance of the pipeline be put in place. The safety regime will be spelt out clearly and will be in place before the first gas flows through the pipeline from the Corrib field. The Minister will ensure that the highest standards of safety apply and that procedures are open and transparent. If Advantica makes any recommendations on those issues in its final report they will be fully taken into account in the preparation of final consents.

I now turn to the legal basis for the gas field. The Department of Communications, Marine and Natural Resources is responsible for regulatory aspects of petroleum exploration and development. Authorisations were granted for the Corrib gas field under several provisions. Under the Continental Shelf Act 1968, authorisation was given for the construction of sub-sea facilities within the continental shelf designated areas. Consent was also granted for the plan for the development of the field under the Petroleum and Other Minerals Development Act 1960. Under the Gas Act 1976, as amended, consents were given for the construction of a gas pipeline from the gas field from off shore to the terminal building. A foreshore licence was also granted under the Foreshore Acts. In accordance with EU directives, an environmental impact assessment was carried out and an environmental impact statement submitted with each application for consent or approval.

[Mr. Gallagher.]

It has been suggested that the terminal might be sited off shore. The reality, however, is that the proposal made by the developers to the Department was for an onshore terminal only. This option was considered by the developers to be the most appropriate. I understand it is now becoming common practice to place terminals onshore rather than at sea. After consideration of a number of sites of entry for the pipeline, the developers proposed to bring it ashore at Dooncarton in Broadhaven Bay. Their proposal, which has since been approved, was to run the pipeline for 9 km to the terminal site.

It is clear that while the matter is by no means resolved, significant progress has been made which can be built on through the mediation process as well as the safety review and public hearing. The Minister, Deputy Dempsey, will continue to listen to the health and safety concerns of residents in the vicinity of the Corrib onshore pipeline and will continue his commitment to having these issues dealt with through the appropriate mechanisms.

**Mr. Finucane:** I welcome the Minister of State's statement which outlines the latest developments in regard to the Corrib onshore pipeline. Although it is quite a distance from Rosport, a public meeting on the issue was recently held in Newcastle West in County Limerick. The families of the Rosport men were represented and Dr. Mark Garavan, spokesman for the Shell to Sea campaign, spoke at length. It was an informative session and indicated how this issue has resonated with the public in that it seems a manifestation of the small man taking on a major multinational. Speakers at the meeting drew our attention to the unfavourable publicity for Shell some years ago in regard to its activities in the Ogoni region of Nigeria. It is ironic that the same company is involved in this controversy in which five people were imprisoned as a result of their stance on the proposed onshore pipeline. The action they took was a consequence of their genuine concerns.

Recent events have exposed many deficiencies within the system in handling projects such as this. Previous experience, such as that in regard to the Kinsale gas find, should have meant the Department of Communications, Marine and Natural Resources had the benefit of considerable knowledge and resources in handling this matter. However, it is only now that real consultation is taking place, with the announcement of a two-day public hearing on 12 and 13 October in Mayo. The safety review outlined by the Minister of State means we are at least responding to the issues of concern to residents and the wider public. In Norway, where there is much experience of the exploitation of gas and oil deposits, consultation with local people always takes place in advance. Why did such consultation not take

place prior to the decision on the Corrib onshore pipeline? If the concerns of local people had been heeded, we would not have had the situation where five people were imprisoned for more than 90 days in defence of their rights.

More is required than the verbal reassurances from Shell and Statoil that the onshore pipeline is safe. I hope the safety consultants appointed by the Minister will be able to give adequate reassurances in this regard. One assumes they will take into account well known incidents where pipelines have exploded, such as at Flixborough in England and outside Brussels. We should bear in mind that the pipeline at Corrib will take a maximum pressure of 345 bar. There has been much media attention on the Shell to Sea campaign. It is surprising that the pipeline will run inland for 9 km from the refinery terminal. Why can it not be constructed closer to the shoreline?

There are concerns in regard to the sale of 400 acres to Shell by Coillte in 1999. This sale did not take place in the context of a competitive tendering process and it is this land which allowed Shell to follow through its plans to operate the terminal inland. It is the 9 km from the shore through which the pipeline will pass that is causing the most concern. Questions about the sale of this land were raised at last week's informative meeting of the Joint Committee on Communications, Marine and Natural Resources at which the Minister, Deputy Dempsey, learned at first hand the strength of the Opposition's views and concerns on this issue. What payment did Coillte receive for these 400 acres? Why was there no tendering procedure? These are questions that must be answered. The sale of this land in 1999 created the framework for the establishment of the Corrib onshore pipeline.

It is inevitable that the publicity and media interest surrounding this issue should focus public attention on the terms and conditions of the State's agreement with Shell and the regulatory regime that is in place. Many commentators have observed that by winning no royalties or other concessions in regard to the exploitation of this valuable natural resource, the State has not got a good return for this project. The Minister reassures us by saying there has been no rush of developers anxious to become involved in exploiting our natural resources. We are also reminded of the obstacles preventing a direct State involvement in such activities, including the fact that wells may cost €20 million or €30 million and so on. However, the public is concerned by the apparent lack of benefit for the State in the exploitation of the Corrib gas field.

I appreciate the concerns of people in the region in regard to this project. The proposed creation of 35 jobs seems a small return for a project that is causing so much concern, particularly in regard to the safety of residents. I wonder what would be the reaction if, for example, the gas was

brought to shore and put into the national grid to create electricity. In such a scenario, there would be a perception that Mayo and other areas in the west were benefitting from such activity and that a worthwhile project had been undertaken.

Everybody must welcome the release of the Rossport five. This allows some breathing space for discussions to take place in regard to ensuring the concerns they have expressed are teased out and allayed. It is to be hoped that the outcome of both the two day hearing and the safety report will succeed in this regard. These men are regarded as heroes within their community and beyond because of the stance they have taken on the issue. Much quiet diplomacy is taking place but there are concerns about certain approaches adopted by the former Minister for the Marine and Natural Resources, Deputy Fahey, on the matter.

All the parts of the jigsaw puzzle did not appear to have been pieced together at the time. There seemed to be a piecemeal approach to the project which has caused inherent problems more recently. It has created tension and political polarisation because people found it difficult to accept that the courts had certain powers, including the power to imprison people and require them to purge their contempt.

The recent visit of representatives from Mayo to Norway may have been a turning point, particularly given the involvement of Statoil and the fact that a new government is now in power. There seemed to be concern in the Norwegian community about the unfavourable public relations emanating from the project. It focused the Norwegian people's minds on the situation that existed in their own country where there is substantial local consultation on similar projects and local people are key players in advance of a project starting. They were surprised that this did not exist in Ireland. Statoil had a major influence in recent decisions which resulted in the five men being released from prison.

I hope concerns surrounding the project can be allayed and resolved. The last thing we want to happen is that people who continue to believe they have been wronged, notwithstanding the public hearing and safety report, will be imprisoned. I welcome the positive developments that have taken place and wish all the people involved guidance and success in ensuring a successful resolution can take place.

I welcome the fact that within the petroleum affairs division of the Department of Communications, Marine and Natural Resources, which hitherto has been something of a Cinderella division in terms of manpower, resources have been beefed up to provide a more robust approach in the granting of planning permission and to ensure that the correct follow-up action is taken in recognition of the type of situation that arises with oil and gas exploration.

**Mr. Kenneally:** I welcome the Minister of State to the House and the opportunity to speak on this issue. When we look back on the imprisonment on those who have become known as the Rossport five we will view the matter with regret. It should not be necessary for five citizens of the State to go to prison for 94 days to vindicate what they perceive to be their rights. Regardless of the sequence of events and the legal niceties responsible for their three month stay in an Irish prison, it should not have happened here in this enlightened third millennium.

The five Mayo men whose names have become familiar during one of the finest summers in recent memory were most unlikely prisoners. Had they not been cast into a controversy to which they became central, a controversy not of their own making, they would have spent a quiet summer with their families rather than making headlines in the national and local media. I am pleased the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, was finally able to facilitate the process which led to the five men regaining their freedom. I urge all sides to engage actively and realistically in the mediation process which he has arranged. It is unfortunate it took so long to bring it about but balancing the legal and political process is often not an easy task. The seeds of a permanent solution have been sown by the Minister and will bear fruit in the long term. In the meantime we must acknowledge the courageous and principled stand the five men took, the hardship it brought to them and their families and the effect it will have on all of them for some time to come.

This is a classic case of the objectives of two sections of the community coming into direct conflict with each other. It was regrettable that five citizens of this State found themselves in prison for the manner in which they attempted to defend their rights and to ensure the safety of the community which they believed to be at risk from Shell's proposals to bring gas ashore in County Mayo.

A large question mark hangs over the proposals by the oil company for this gas pipeline. I am not a technical expert or an expert on the piping of gas or petrochemicals around the country. I do not even know if this proposal affects the gas network which operates under the streets of our cities and the wider countryside as it brings energy to our towns and cities. Oil companies are in the business of making money and are powerful entities that can exercise huge influence on a worldwide scale. It came as no surprise that the company at the centre of this controversy petitioned the courts for the men's imprisonment and allowed them to sit in their cells for 94 days before acceding to the Minister's proposal. In the meantime it proceeded with work for which it had not obtained permission. I applaud the Minister

[Mr. Kenneally.]

for making that point to the company and requiring it to dismantle that section of the pipeline.

Since the arrival of the Celtic tiger a culture has developed in this country which is not unfriendly to powerful multinationals whereby wearing a high visibility vest confers a special permission to stop traffic, encroach on private property and generally ignore the rights and comforts of anyone who will stand in the way of generating personal wealth. In the wider context the welfare of the individual, the good of a rural or even the international community is of little consequence to companies of the size, wealth and influence of those in the oil industry. Several times over the past three decades the suggestion has been made that we should be grateful they came to our shores to spend large fortunes looking for oil and gas. Some would have us believe they do it for the Irish people but we should be more realistic and realise that balance sheets, work deadlines and full pipelines are all that matter to such concerns. We should judge the present proposals in Mayo and the problems they have caused against this background. We must judge the reasons the company finally succumbed to pressure, and availed of the opportunity presented by the Minister to bring the crisis to an end, in the context of those principles.

We can talk about principles and principled stands all day and discuss the relative claims for the safety of the installation and the power of multinational companies but who would favour a gas pipeline pumping unknown quantities of explosive material at unknown explosive pressure not much more than 100 yards from people's homes? This was not just a blind protest on the part of disgruntled residents. Their arguments were logical. I cannot confirm that they were correct but they did raise reasonable doubts about safety and the appropriateness of the industry being there at all, such as the inadequacy of the soil through which the pipeline will run and several other arguments worth investigating.

Technical people, particularly those with a vested interest, do not always have the answers. These families and the wider community in Mayo were presented with a situation not one of us would like to be in. Hard information on the project was difficult to come by and guarantees that were given were looked at askance in light of the record of the petrochemical industry. The company also defied the directions of the Minister, an action not likely to garner support for its proposals.

The record of oil companies across the world is dismal and, leaving aside wider claims from the extreme left, enough independent news bulletins have been seen over the years to enable people be aware of some of the less acceptable practices employed by them. These include the absence of proper safety systems, the exploitation of local

labour and the lack of concern for the environment and communities in which they operate. In Ireland in 2005 we should be able to resist the practices imposed in Third World countries.

As a regular user of a motor car, natural gas central heating and oil-generated electricity, I am realistic in accepting that we must explore, exploit and distribute fuels in order to survive in the modern world. Such fuels are required to generate the wealth which improves the lot of the country's population. Nevertheless, we should wonder why this gas, which everyone recognises as a dangerous substance, is required to be piped so far inland to be processed. It is legitimately suggested that for a relatively tiny fraction of the budget of a development of this magnitude, the gas could be processed offshore and brought inland in a safer form. This need not affect the employment potential of the project.

I am not familiar with the entire process, but with the amount of information the company appears to be making available, not many people understand it either. It is hardly surprising, therefore, that these five men took their stand, claiming that from their research the proposal was unsafe and offered little to the people of Mayo as it stood. I accept that the mediation process as proposed by the Minister will and should be independent, but I urge that every facility be made available and every encouragement be given to expediting the process. Too much time has already elapsed, and the five families, along with the people of Mayo generally, have the right to have their fears and anxieties allayed at the earliest opportunity.

If there is any benefit to be gleaned from this issue, and there must be a positive thought everywhere, it is that it should be used as a lesson for the future. All dangerous and contentious proposals must be properly and minutely vetted, so that people are neither exposed to risk nor have a perception that they are. We must have full disclosure on what is proposed, regardless of whether a powerful multinational is involved. We must be strong and independent to ensure that our national wishes and aspirations are met in full. I wish the Minister, Deputy Noel Dempsey, well in his mediation efforts and I hope that the matter comes to a speedy resolution, with some compromise being reached to satisfy as many people as possible.

**Mr. Ryan:** With regard to a matter raised by Senator Finucane, Coillte appears to believe that it is a private company and is entitled to withhold information on the basis of the legal position of a private company. Coillte is a publicly owned body, but there is well-documented evidence of it not answering queries because it states that it is a private company. The Minister of State may not be able to deal with this issue now but it deserves to be addressed. I ask the Minister to contact the

body and remind the appropriate people who owns Coillte and to whom it is accountable, that is, the Irish people. I am increasingly sceptical of so-called good commercial reasons, as a number of the debacles that have occurred in this country in recent years with regard to cost overruns may not have happened if there was no initial insistence on non-disclosure of commercially sensitive information. We normally discover afterwards that commercial estimates may have been exaggerated. There should be more disclosure on Coillte's part.

Nobody looking from the outside could do anything but assume that the Government presumed that these five men would not stay in jail for 90 days. It is not a coincidence that within a week of the Dáil's resumption the men were out of prison. There is a degree of cynicism in the Government's attitude, which makes it difficult to now engender trust. Eloquent explanations will probably be received from the Government detailing how it was coincidental that a formula was found to free the people imprisoned for 94 days a week after the Dáil's resumption and just before a Dáil debate on the matter.

There is a huge issue in this matter regarding public policy and policies on exploration. I am astonished at the manner in which people forget. There was little exploration ongoing off the coast of Ireland in recent years and a need existed to encourage it. However, there was a stage up until about seven years ago where oil prices dropped as low as \$10 a barrel. The bottom had dropped from the oil market and I read repeatedly in *The Economist* that OPEC was effectively a tool of the past and had no power in the market. Oil then hit \$20, \$30, \$40, \$50 and it is now hovering around \$65 a barrel. No commentator can see any time in the immediate future when the price of oil will drop much below \$60 a barrel for reasons such as reduced supply and rapidly escalating demand, especially in China and India. It has been stated before and although I may be wrong, I believe the days of cheap oil are over. The economic incentive to explore is now transformed. We would be foolish to use the instruments that may have been acceptable when oil was \$10 a barrel to encourage exploration for our offshore resources when oil is reaching \$65 a barrel.

Unfortunately, Ireland does not have the offshore resources that Norway has. However, it is worth comparing the strategies on offshore oil and energy resources of Norway and the United Kingdom. The United Kingdom had a good period while oil resources in the North Sea were plentiful, but it has not much to show for this, particularly in Scotland. On the other hand, Norway has developed a sophisticated response and has a €200 billion oil fund accumulated by the Norwegian Government to be used to fund economic growth into the indefinite future. The country did not embark on a spending or tax-cutting

spree. Statoil was set up initially to deal with the country's own resources, and that company is now a major international player in the energy world, independent of whether the Norwegian North Sea resources are expended. It is worth comparing Scotland's benefits from the oil and gas off its coast and the benefits reaped by Norway from its resources.

I wish to spend a good deal of my remaining time on the precise issues that have caused such hurt and concern. On the first day I take first-year chemical engineering students in CIT, I ask them to work out for themselves what determines a piece of process equipment as being properly designed. I wish them to work out four factors from this. First, the equipment should technically work; second, it should be economically attractive; third, it should be safe; and fourth, it should be environmentally consistent with best environmental practice. Every chemical engineering faculty in the world is taught the factors that make up a good design. It is worth examining this project from such a perspective.

I am a non-Luddite who believes in progress, the value of industrialisation and the value of technology. I have always supported the development of the pharmaceutical and chemical industry in Cork and I believe it to be the wrong target for the green movement. A vast number of other industries in this country, including agriculture, have done far more environmental damage than the entire chemical, pharmaceutical and related industries. However, that is a separate issue. I wish to explain why valid technical reasons exist to be very wary of what is occurring, and I put them as valid questions rather than absolute obstacles.

I read the two quantified risk assessments available on the Department's website. I cannot recall whether there were two or three but I read two. The second one arrived at a number for the risk involved that was 40 times greater than the first one.

Both risks were acceptably low by international standards in terms of what was practised internationally but the margin of difference was a factor of 40. That should set alarm bells ringing in that it suggests there is a huge number of judgmental issues involved where different experts can differ. If one is dealing with a project that will be confined within the boundaries of an industry and if two different experts within an industry say the risk is one in a million or one in 4 million, irrespective of what uncertainty there may be, those who make the judgment about the risk are those taking the risk.

What is happening in Mayo is that those who are making a judgment about whether the risk is acceptable are not those who will be at the receiving end if the judgment turns out to be wrong. That is where the uncertainty lies. Let me elaborate. If one is trying to sort out the scale of a risk

[Mr. Ryan.]

one looks at two possibilities — how big the incident that might happen could be and what damage it could do. For example, if one installed a gas pipeline along O'Connell Street and there was a major explosion and a possible burn for 500 m or 600 m, thousands of people would die. Two issues arise. How likely is that to happen? We shall leave that issue for a minute because it is open to debate. Similarly, if an LP gas tanker going through O'Connell Street were to shatter under the worst possible circumstances hundreds of people would be killed because the scale would be enormous. As a result of good practice, this is extremely unlikely to happen. The two issues go together — how likely is something to happen and, if so, what will be its magnitude? Those two factors combine to give a number which is called the quantified risk. That is my simplified understanding of it and it is a reasonably correct one. This is the reason the pipeline is such a major concern in Mayo.

Suppose the same pipeline — assuming all the other numbers are correct — were to go down O'Connell Street or through a major built up area where 5,000 people live within a 500 m radius, the chances are that any serious incident, if it happened, would kill 5,000 people. What ultimately is being said in a quantified risk assessment is that the five or six people who live near the pipeline are an acceptable risk because there are only five or six of them. That is not fair particularly since the people who have been put at risk have no direct personal benefit from the pipeline. In this instance, five people decided they would not allow themselves to become the acceptable risk simply because of the small number involved.

The other issue is the project itself. The Minister of State said it is becoming common practice to place terminals onshore. I know the Minister of State well. He has never in his life uttered a word in the House that he does not believe is true.

If there is a body of practice on onshore terminals why could not the two companies carrying out quantified risk assessment find any historical evidence of the risk of a major fracture of that pipeline? They had to use analogy and similar projects within companies but they could not find a single similar project anywhere in the world which bore comparison to this one. How can that be if onshore terminals are now becoming common practice? The Minister of State should be careful not to believe what Shell tells him.

I have evidence of a quantified risk assessment carried out on Shell's behalf in Australia approximately five years ago in which there was a fundamental flaw in the design which was missed in the quantified risk assessment. Had the Government authorities in Australia not spotted the fundamental flaw an offshore rig would have been constructed and had an entirely predictable and

likely event happened hundreds of people could have been killed. A quantified risk assessment is done on the data supplied by the client, in this case by Shell, and it is not independent. If there is to be a safety review, it is desperately important that the first brief of the company must be to know whether this is inherently safe or whether there are margins of uncertainty because it is a unique project. That is the concern of the people of Mayo, not that a 70 bar pipeline or a 120 bar pipeline will go through but that one that is designed to operate at 350 bar and which the consultants, who did the quantified risk assessment, recommended should be tested to 420 bar. That is an enormous pressure. I am not aware of a 420 bar pipeline having been used anywhere except within the confines of a sophisticated processing plant run exclusively and populated exclusively by trained personnel. The idea that one of those would run within 70 m of a person's home is not something I, as a confirmed technophile, find reassuring.

**Dr. Mansergh:** I welcome the Minister of State to the House. I have mixed sympathies on this subject. I am certain that for the vast majority of Members if a pipeline and installation were to be located as close to our houses as in the case of the Rosport five we would have some reservations. I can think of a couple of Ministers who might make strenuous efforts to have it diverted elsewhere. We cannot be dismissive of concerns. In regard to those huge installations no one say on a rational basis that an accident is unlikely to occur. If this were looming in front of oneself, it would be hard to still one's fears completely.

This raises the issue of the relationship between big corporations and isolated communities or individuals and big corporations do not always go the right way about it. They appear to think that if they have the support of the Government and the authorities they do not need to worry too much about local communities and consent. The culture in Ireland, whatever about any other country, is that one needs the consent of the local community in addition to everything else if one wants to proceed smoothly with projects of this kind. It is clear Shell did not put enough effort into that area and forcing its way through by the law was a definite mistake. Contrary to Senator Ryan's view I am sure the Minister worked hard to terminate a very unsatisfactory situation. There is a problem with conflict in Ireland. In general we are reasonably flexible most of the time but when we get into the trenches it is sometimes hard to get out of them. The law needs to be re-examined in this regard because keeping people in prison for the length of time these five men were imprisoned is unsatisfactory.

It is hard to give people absolute assurances on safety. My house in Dublin is supplied by natural

gas and there have been instances over the past 20 or 30 years where houses or apartments have been damaged in gas explosions. I appreciate that the problem is small in scale but somebody died in such an explosion within the past 20 years, so it is difficult to give absolute assurances on safety. Nonetheless, I welcome the safety review concerning the Corrib project. The Minister has spoken of such reviews becoming common practice for analogous projects, but it would be helpful if that point could be spelled out, including where such developments have taken place and where they are planned.

My sympathy parts from the Rosspoint five in that there has been an attempt to suggest that we should go back to the oil exploration terms of the 1970s. I see no case for doing that. Norway may have a brilliant regime which is tailored to its circumstances but Ireland is not Norway. The point has been well made that if our exploration terms were so ridiculously advantageous, how is it that the oil companies have not been piling in over the past 12 or 13 years to exploit them? The fact is that they have not done so.

There is a higher rate of tax at 25%, which applies to oil exploration profits, but while oil and gas are central to Norway's prosperity that will never be the case here. We may have envisioned that being the case in the late 1970s and early 1980s but the Celtic tiger came into being through a completely different route and, therefore, we must be realistic. I have not been impressed by the sight of various left-wing groups piling on board and trying to overturn decisions by legally constituted bodies, as well as the terms on which such decisions are based.

There is an issue of confidence here. Foreign businesses will watch closely how we handle these matters. If it is the case that, despite going through all the legal procedures, the system does not work, this will make people pause for thought.

It is significant that the Leader of the Opposition in the Dáil has his seat in the constituency of Mayo, while the Leader of the Labour Party in the Dáil also comes from that part of the country. I notice that both of them have been careful not to underwrite the Rosspoint agitation in any complete sense because of credibility factors going into Government.

Local benefits need to be examined, including investment in the gas network, improving infrastructure, local employment and tourism. There are also national benefits from a more secure gas supply. I hope the process that is under way will lead to a conclusion. If it requires the oil companies to be a bit more generous to some of the people concerned, then so be it. There is a need for Shell in particular to repair its relations with the local population and to go to every possible length to meet people's concerns without abandoning the project.

**Mr. Norris:** I listened to Senator Mansergh's contribution with great interest and in response to his last comment I would say that Shell really needs to revise its entire ethos and *modus operandi*. The company stinks worldwide, but we were not sufficiently aware of this fact and we have let them away with potential murder in this country. If, as Senator Mansergh also said, international business will look at what is happening here, then let them look. Let them see that Irish people and the Government have standards. It seems extraordinary that five decent, respectable people in the community were sent to jail at the instigation of Shell Oil. These men did not have to go to jail but they were pushed into that position by the company. It also seems extraordinary that they were jailed while trying to defend their own homes, welfare and possibly even their lives, which should be a constitutional imperative.

Some technical aspects emerged from the court proceedings that may require the attention of the Oireachtas. I was astonished, for example, to find that when the men went to court to seek an injunction they were told by the judge that they could not have an injunction because they were in contempt of court. How many other civil and human rights are extinguished by the fact that one is held to be in contempt of court? How does the law of contempt work? Following a conversation with a learned judge recently, I understand that the concept of contempt came originally from the ecclesiastical courts. It is unsatisfactorily defined in legislation and it is left to the decision of a judge based on a certain amount of precedent. That is not satisfactory, particularly when it has been highlighted that these men were sent to jail on this basis.

These men were right to protect their homes. There used to be a saying that "the Englishman's home is his castle". Ironically, in *Finnegan's Wake*, James Joyce changes that saying to read, "the Irishman's home is his coffin". The Rosspoint five were afraid of an untested pipeline with unusually high pressures passing within 70 m of their homes, which constitutes a real and definite threat.

From the beginning, the whole process has been vitiated by different ministerial decisions. The decision of Coillte to sell 400 acres without advertisement or any attempt at public tendering had an effect on Shell's commercial decisions. Once the company had that block of land it predetermined the location and route of the project and, thus, Shell was under no pressure to do anything more in that regard. That was a significant failure of imagination on the part of the authorities.

The former Minister for the Marine and Natural Resources, Deputy Fahey, signed the Corrib development plan in April 2002. It sounds very bland to sign such a plan but this act legally committed the State to support Shell and it was

[Mr. Norris.]

done prior to the granting of planning permission. It was done on the basis of the Department's own marine licensing vetting committee but the MLVC did not consider a shallow water platform so how did the project come about?

I wish to place on the record of the House what the senior officer of An Bord Pleanála said about this decision: "How the MLVC came to its conclusions would appear to be beyond the realms of a rational approach to the planning of this major infrastructural development and exhibits nothing short of prematurity." It is beyond rationality. First, this block of land was granted and, second, we had this unusual support based on what is seen as a flawed argument by the Government.

Should we feel secure because Shell is involved? I do not think so. If we look at the company's track record internationally, we can see it is good at spin. It bought into things like National Geographic and it sponsors environmental programmes on television, while simultaneously destroying the environment in places such as Nigeria. Its *modus operandi* although subtly changed from Nigeria is in essence precisely the same and reveals a complete contempt for local people as long as it can get the Government on its side and its PR merchants in with the spin.

Let us consider the record in Nigeria. Shell Oil was complicit in the fact that the Nigerian Government hanged nine environmentalists for protesting peacefully in 1995. The tribunal that convicted the men was a joint effort between Shell and the Nigerian Government. These people protested because of the enormous amounts of oil spillage in their territory against which they were totally unprotected. Between 1976 and 1991 some 2,976 oil spills occurred in the Niger delta. A World Bank investigation found that the levels of hydrocarbon pollution in Ogoniland were more than 60 times the US limits. This was confirmed in 1997 by a Project Underground survey which found petroleum hydrocarbons in one Ogoni village's water source at 360 times the limit set for the European Community. This is the respect for the environment that Shell Oil has in Nigeria.

Let us consider how Shell copes with this situation. In Nigeria as in Ireland there is a rebellious local population. Shell uses the local existing institutions to hand. In Ireland there is a complacent Government and requirements are placed on judges to make certain decisions. I do not criticise the Judiciary in that it is working with what it has. Shell contributes to the military funding in the areas where it needs to suppress the people. Shell has admitted that it has paid directly for visits to two villages in Ogoniland. These visits were as a result of a peaceful demonstration by the local inhabitants. It has also admitted purchasing weapons for the local police force which guards its facilities. Many people believe that Shell's

involvement in the military aspect is much greater.

Bearing in mind that the police are partly funded by Shell Oil, a classified memorandum from a police leader in this area described his plans for "psychological tactics of displacement-wasting". This is what Shell is doing in the west of Ireland; it is displacing the people. The memorandum further stated: "Shell operations are still impossible unless ruthless military operations are undertaken." It is prepared to be ruthless militarily and it is prepared to be ruthless in its involvement in the courts. Let us consider what it did in the trial of Ken Saro-Wiwa. We now know that two significant witnesses in that case were suborned by Shell with offers of money and employment in the Shell group.

**Acting Chairman (Mr. Dardis):** The Senator has one minute remaining.

**Mr. Norris:** I am not just some left-wing crank talking about this matter. The United Nations Special Rapporteur's report on Nigeria published in 1998 accused both Nigeria and Shell of abusing human rights and failing to protect the environment. It condemned Shell for a "well armed security force which is intermittently employed against protestors". This is what we are dealing with. This is the heart of darkness.

Let us consider the dangers. Shell places advertisements and gets the media involved. It stated that the gas coming from the head to Bellanaboy is treated gas. I agree that chemicals will be injected into it, for example, anti-freeze and corrosion inhibitor. However, it is still untreated gas and is just as dangerous. While it can claim to add chemicals, they are not chemicals that will alleviate the situation.

The gas will pass through the pipe at enormous pressure. Has anybody considered that this activity will take place over a bog? We had a bog slide a year or two ago. It is a highly unstable environment. They talk of floating a pipe on a concrete platform, which would be absolutely useless. A US army corps of engineers manual on foundations in soft ground suggests that considerably more than a simple concrete raft would be necessary.

I have received a letter from a learned gentleman with a PhD in this area in which he suggests that in particular conditions, for example a cold and foggy day in February with the soil and sea temperatures at approximately 5° centigrade, a pipe burst could result in an enormous explosion from a hemispherical cloud 272 m across and 136 m high.

**Acting Chairman:** Other speakers wish to contribute and we have very little time left.

**Mr. Norris:** It would be impossible for any fire brigade to deal with such an explosion. We need to be very careful and should support the plain people of Ireland against a multinational corporation that has a record that stinks to high heaven and is clearly dangerous to human life.

**Mr. Kitt:** I welcome the Minister of State to the House. His contribution to the debate was very useful. As he said in his opening remarks the issue has moved on considerably in the past week in that the injunction has been lifted and the five Rosspoint men have been released. It is a matter of regret to me, as it is to everybody in the House, that five decent men were jailed for 94 days. The Minister of State and the Minister, Deputy Noel Dempsey, have taken steps to improve the situation. The Minister announced his intention to appoint a mediator and hopes that progress can be made now that the five men have been released.

The Labour Party tabled a motion last week and many of the issues to which it referred, including independent mediation and the release of the five men, have been dealt with. Some of the issues it raised and ones that I would raise, for example the danger to the environment and health and safety matters, are still very serious issues, with which I hope the Minister will deal. It would be very useful to get Shell's views. Shell has not given much information on the issue in recent months. The Minister for Communications, Marine and Natural Resources has probably been a better PR man than representatives of Shell.

As someone living in Mayo's neighbouring county of Galway, I have seen very little identification or quantification of the benefits for County Mayo and the north west in general. It would be useful to get some information on the proposed development in this regard. We also need to ascertain the benefits for the country. While bringing gas ashore might benefit County Galway, the midlands and perhaps the east, we have no indication of what will happen in the north west, which needs to be clarified. The Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, spoke to the media about the safety of workers, which is an issue that might be forgotten.

The rise in oil prices places urgency on finding alternative forms of energy. The infrastructure of the west is important and needs to be clarified. In considering benefits to an area, I think in particular of areas where milled peat is provided from our bogs. One would normally expect a briquette factory or that the milled peat would be used for the creation of energy. Similarly gas stations should be available as a natural follow on from having gas onshore and we should expect employment. I see no attempt by Shell to indicate the numbers in or type of employment envisaged.

Another matter which should be dealt with is the proximity of the line to people's dwellings. Advantica Consultants are to look at that issue but it amazes me that it could not have been dealt with before now. I admire much of the work the ESB does in bringing energy to the regions, particularly to the west and north west, where some of the terrain has created difficulties. However, I have gone to the ESB on numerous occasions to argue with it about the need to move a line. I have seen proposals by the ESB to bring lines across people's fields when it could easily bring them across a boundary fence, for example. I have sometimes argued that it could bring lines across forestry areas rather than placing networks and masts on very good land. As a public representative one sometimes wins a case and sometimes loses, but at least the ESB listens. I have a feeling that nobody is listening to the Rosspoint five or the people of north-west Mayo. That is one of the reasons the protest took place and why five people spent 94 days in prison.

Many mistakes were made in the past, perhaps in our rush to get electricity to rural areas, with huge masts being installed and lines being brought across inappropriate areas. Other Senators will no doubt agree that similar mistakes have been made with the installation of mobile telecommunications masts. Deals were done with health boards to put mobile phone masts on top of hospitals, which was most inappropriate. There was a famous deal between the Garda and a mobile phone company to put masts on top of Garda stations. I once saw a mobile phone mast placed right beside a children's playground and a national school. Permission was granted by Galway County Council but thankfully was rejected by An Bord Pleanála.

We should listen again to what people are saying. I hope that Shell will explain some of the issues which it is not explaining. Senator Norris made an important point regarding Shell's involvement in Nigeria. In 1985 I was a member of the Joint Committee on Foreign Affairs. We intended to visit Nigeria with a Trócaire delegation to visit the Ogoni region, but the Nigerian Government prevented us from going there, or even into Nigeria, because of our wish to go to the Ogoni region. There was no support from Shell, which I found very disappointing. While one cannot blame Shell for all the problems in the Ogoni region, the company has a case to answer with regard to environmental matters. That is one of the reasons the people in Rosspoint were so concerned that the pipe was coming through their area, very close to houses. They were worried about health, safety and environmental issues and knew that Shell did not have a very good track record in those areas. I welcome the fact that as the Minister of State has said, progress has been made, and I hope we will reach a resolution with regard to the pipeline.

**Ms White:** May I share time with Senator Paddy Burke?

**Mr. P. Burke:** I am sharing with Senator O'Toole.

**Ms White:** It is only democratic that I should have the right to speak.

**Acting Chairman:** If Senators Burke and O'Toole share time, and there is no intervention, Senator White will then have a minute to speak.

**Ms White:** On a point of order——

**Acting Chairman:** I am bound by the rules of the House.

**Ms White:** If the Leas-Cathaoirleach, Senator Burke, were in the chair, he would be flexible.

**Acting Chairman:** I am being flexible.

**Ms White:** This is a serious democratic issue.

**Mr. P. Burke:** Senator White is eating into Senator O'Toole's time.

**Ms White:** If the Senator were in the chair he would let me speak.

**Acting Chairman:** Does the House agree that Senators Paddy Burke and O'Toole share time?

**Mr. Kitt:** Agreed.

**Mr. P. Burke:** I welcome the Minister of State to the House. I am delighted that the five men from Rosspport have been released but I am disappointed that it has taken so long for certain issues to be settled. When this matter first arose, the Fine Gael Party leader, Deputy Kenny, stated on the first day of the debate in the Dáil what he felt needed to be done: that a mediator should be put in place, a safety audit be carried out on the line from the shore to the terminal, and that work on the project should cease in the interim. All this has now happened, but meanwhile, the Rosspport men spent 94 days in jail in order to protect their families and loved ones. It is sad that it had to come to that.

Much has already been said on this issue and it is difficult to debate it in the limited time we have. I was a member of Mayo County Council when gas was first discovered in the Corrib basin. The people of Mayo were delighted at the huge gas find off the west coast. The proposal at the time was that the gas would be taken in through the county, while the gas company had the option of taking it in through Killybegs, through Mayo or through Galway. The Mayo County Council

members wanted the gas taken in through County Mayo, and the rest is history.

The main issue now is one of safety. I am pleased that the safety auditor is carrying out his work and will be reporting shortly. Either the line from the shore to the terminal is safe or it is not. If not, the Minister will not be able to sign the consent form, and other methods will have to be found if the gas is to be taken ashore. Safety is the kernel. Everyone's safety is important because the loss of even one life would not be compensated for by any amount of gas found or taken in to the terminal in County Mayo.

The Minister of State made four points. He said that the gas find would act as a catalyst for the extension of the Bord Gáis distribution system to the towns and regions; that it would facilitate the improvement of the Mayo region's infrastructure, particularly its electricity supply and distribution network; that it would increase local employment in the short and long term; and that it would also increase Ireland's security of supply by providing a reliable indigenous source of gas, since, with the current increase in oil prices, the strategic value of indigenous gas obviously increases.

Are we to take it from what the Minister of State said that there will be spur lines to Castlebar, Ballina, Westport, Claremorris, Ballinrobe and Belmullet? As I understand it, for towns such as Belmullet in particular, which is the town closest to the gas find, one has to get EU approval for spur lines on the basis of viability and justifiability. The Minister of State might explain that to us, because there are companies in Mayo such as Baxter and Allergan which are waiting for gas, and want it, and see gas as their only means of survival and viability within the region.

**Mr. O'Toole:** My greatest concern is the safety issue and the fact that the people of Mayo are getting nothing out of the gas find. The final point made by Senator Burke is crucial. The people of Belmullet, the town closest to the gas find, and also the other towns mentioned, should get access to the gas and get the value of it. Even if the safety audit finds the gas pipeline to be safe, it should be moved further away from houses. The gas could be brought in along by the river bed. It does not need to come to shore at the point chosen. It could come along the bed of the river which flows into the sea there, or could go further down the bay, away from the houses. That is crucial. It is also crucial that the gas be taken into Ireland. We need it for security of supply among other things.

We should not forget too that there are currently 350 people unemployed in north Mayo because of work on the pipeline being stopped. I am not saying this has anything to do with the safety issue, which is separate. Nothing will ever be 100% safe. As soon as we satisfy ourselves that

it is as safe as can be, we should then move the pipeline away from the houses. We should also ensure that Shell complies with the law.

I have never trusted Shell, particularly given what Senator Kitt has said and how Shell operated in Nigeria for years. I have spoken many times about Shell over the years. I do not believe Shell most of the time and, in many ways, the company has bullied the local people. At the same time, however, the local people should recognise what they are up against. They should be clear about their objectives and accept that mediation will only work if both sides agree to move their positions slightly. The issue that unites everybody is safety. Let us get the safety issue dealt with, after which the question of moving the pipeline and other matters can be tackled and the gas can be taken safely onshore.

**Acting Chairman:** I call Senator White. The Senator must be brief.

**Ms White:** I have been here for an hour and a half and I object to a system that does not allow somebody who has been here for that length of time to speak properly.

**Mr. O'Toole:** It is a system the House devised.

**Acting Chairman:** Senator White, this was ordered by the House this morning. It has nothing to do with me. I simply implement the orders of the House. The order of the House is that the Minister is to be called no later than five minutes before the conclusion of the debate at 12.45 p.m., when the Taoiseach is due to arrive. In that context, the Senator is getting a concession in being allowed to speak. I ask her to be brief.

**Ms White:** There is no point hanging around and paying the compliment of listening to the Minister and my colleagues. I compliment the Minister on his speech. I agree with the Minister's remark that it was with deep regret he saw the five men from Rossport imprisoned. I can speak on behalf of one of the men. He told me that the Minister, Deputy Noel Dempsey, made valiant efforts to understand this complex issue. Can somebody close the door to the Chamber? I have been asked to say something on behalf of one of the Rossport five but there is terrible noise outside.

**Acting Chairman:** That has nothing to do with the Senator.

**Ms White:** It does have something to do with me. On the release of the men last week, an editorial in *The Irish Times* commented that Members of the Oireachtas did not understand the law and the separation of powers between the Judiciary and the Legislature. My view is that law

must be tempered by justice and justice is far superior to law. I cannot blame the judge alone because he was put under pressure in a subliminal way by Shell to make the judgment that the men would be put in prison and remain there for three months. It is an appalling situation. The men were trying to defend their democratic rights, their safety and to ensure that Ireland's natural resources are used for the benefit of the people.

**Acting Chairman:** The Senator must conclude.

**Ms White:** I am very disappointed. I spent an hour and a half sitting here this morning and I was allotted one minute to speak on this important issue.

**Acting Chairman:** The House agreed the time-frame on the Order of Business.

**Ms White:** It makes a farce of the House.

**Minister of State at the Department of Communications, Marine and Natural Resources**

**(Mr. Gallagher):** The safety review is now under way. It will be comprehensive and will be carried out independently by recognised experts. The public consultation will take place next week on 12 and 13 October, when there will be an opportunity for all interested parties to participate. Hopefully, it will not be long before the Minister will be in a position to appoint a mediator in this matter.

I have listened attentively to the debate. It was very positive. All speakers believe that we must take advantage of the natural resources offshore and bring them onshore. There are many direct and indirect benefits. The fear, however, and rightly so, is about safety. The safety issue will now be addressed and I hope that as a result of the involvement of the Minister progress can be made in the near future.

There are benefits to the State. This will give us security of supply for a number of years. Currently, 84% of our gas requirement is imported. Between 50 and 60 jobs can be created at the terminal and there could be up to 100 indirect jobs. There is much talk about the concessions this company received. There are approximately 120 bore holes in this country but only four of them have shown success. The cost to the State of doing this exploration would be €1.5 billion but the return on that investment would be almost minimal.

With regard to tax, this country has a generous tax regime which has been most helpful in attracting inward investment. The corporation tax rate of 12.5% is one of our great successes. In this case, however, the corporation tax rate of 25% will apply rather than the 12.5% that applies to other commercial and industrial sectors.

[Mr. Gallagher.]

Time does not permit me to comment further. I thank the Senators for their contributions. They were sincere and positive except with regard to the safety issue. This will now be addressed by Advantica, the public consultation process and the appointment of a mediator in the near future.

**Mr. P. Burke:** What about the spur lines?

**Mr. Gallagher:** There is provision for spur lines in the legislation. That will be a matter for Bord Gáis and there might well be a question of subsidy. While there is provision for the lines, that does not necessarily mean they will happen.

### Northern Ireland Issues: Statements.

**An Cathaoirleach:** I welcome the Taoiseach to the House. We will now deal with No. 3, statements on Northern Ireland issues. I call on the Taoiseach to begin.

**The Taoiseach:** I am very pleased to have this opportunity to address Seanad Éireann following some very significant developments in the peace process. On 28 July, when the IRA announced an end to its armed campaign, I said that its words must be borne out by actions and on 26 September, we saw verified actions when General John de Chastelain announced the completion of IRA decommissioning. Finally, the IRA has yielded to the will of the people, as expressed in the referendum on the Good Friday Agreement. It has given up its weapons to pursue its aims by exclusively peaceful means. In doing so, it has also accepted the unequivocal demand of the Oireachtas, on behalf of the people, that violence be brought to a permanent end.

The future of Ireland can now be determined by elected representatives, working for all of the people in a purely peaceful and democratic way. I have worked for this outcome for the past seven years, to fulfil the mandate the people gave me in the referendum on the Good Friday Agreement. This was a mandate to secure a permanent peace on this island and to help build a new future and new friendships among everyone on the island and between Ireland and Britain. In spite of the many setbacks and disappointments, I have continued to pursue that goal because, as a constitutional republican, I was convinced that it was the only way to achieve a lasting settlement of the Northern conflict. I was joined in this endeavour by many people and I express my gratitude to everybody who played a part in getting to this point. There are many people of all parties and none, of all creeds and classes, who have worked for peace, not least distinguished Members of this House, past and present.

I would like to thank in particular Senator Martin Mansergh, whose contribution to the peace process over the years has been invaluable

and highly influential. I would also like to mention Senator Maurice Hayes who has worked for many decades in public service, North and South. It is also appropriate to recall today that a Member of this House, Senator Billy Fox, lost his life during the Troubles. We remember him, and all the other victims and survivors, at this time.

We have not yet completed our task but we can be happy that we have come further than many people ever thought possible. It is my earnest hope and strong belief that next year will see the return of the Northern Executive and Assembly and the North-South Ministerial Council. They are an essential part of the democratic framework in these islands and represent the best and only hope of a democratic, peaceful and prosperous future.

In a context where progress is being made and trust and confidence are being restored, there is also an opportunity to address the issue of Oireachtas participation by Northern representatives. As I stated in the Dáil, what I will propose will be sensible but modest. It will be faithful to the recommendations of the all-party report. There is no question of granting Northern Ireland MPs speaking rights in the Dáil. Nor will our proposals cut across the architecture of the Good Friday Agreement but they can complement the North-South parliamentary forum under the Agreement, which we hope to see established soon. The British-Irish Inter-Parliamentary Body is already in existence and thriving. There is also a distinguished history of Northern appointees to this House to build on. This is ultimately a matter for the Houses of the Oireachtas and I will make proposals directly to all of the other party leaders shortly.

The Government will also, towards the end of this year, bring forward proposals for dealing with the question of so-called on-the-runs in the context of a verified end to all IRA paramilitary and criminal activity. I reiterate that there will no concessions in respect of anybody involved in the killing of Detective Garda Jerry McCabe.

I have described the Independent International Commission on Decommissioning report of last week as a landmark development. The report of the IICD confirmed that the weapons of the IRA are gone and that they have been disposed of in a manner that has been witnessed and verified. The report states that the IRA has now placed the totality of its arsenal beyond use. I accept and welcome that assessment.

Last week, I met General John de Chastelain and his team and thanked them for the work they have done. I am sure Senators join me in that and also in thanking the independent witnesses. Fr. Alec Reid and Reverend Harold Good have done the people of this island a great service. It adds to their work for peace over many years. The task they undertook to witness IRA decommissioning required not only integrity, it also personal cour-

age. They told of how they watched the entire process, minute by minute. They said that beyond any shadow of doubt, the arms of the IRA have now been decommissioned. Their statement was compelling and it was clear. All who heard it knew that they were hearing the truth.

The IICD has now reported on four separate acts of decommissioning. The most recent, final report was of a programme, over several days, from dawn to dusk. The general spoke of very large quantities of weapons and made clear that the amounts involved were consistent with the inventory prepared by the security forces. Very detailed inventories were made and these will be published when all decommissioning, including of loyalist weapons, has been completed. I accept the general's view that an amount of confidentiality was necessary in order to ensure that decommissioning happened. His approach has been vindicated by events. IRA decommissioning has now been removed as an obstacle to progress. That is my view and the view of the two Governments. It is important to be clear on this and to move on. Ultimately, if decommissioning is to have any meaning, it has to be an accomplished fact on the ground. The people will know if it is real or not.

There is another equally important dimension to our demands of the IRA, that is, that it ceases all paramilitary and criminal activities. We need to be convinced that all IRA paramilitary and criminal activity has come to an end. The next report of the Independent Monitoring Commission will be published this month and will give an indication of progress on this issue. There will be a further IMC report in January.

There are, of course, other challenges to be faced. These were set out by Tony Blair and myself in July. They include the restoration of the political institutions, the ending of loyalist paramilitary and criminal activity and the resolution of policing issues. Having seen the completion of decommissioning, and if there are positive reports from the Independent Monitoring Commission, I believe the way will be open to a full resumption of dialogue on the restoration of the political institutions. I call on all concerned to use the period ahead to reflect on the progress already made and to prepare for the next steps back towards democratic, devolved government in the North. That is the only way we will ever begin to get reconciliation between the two communities. It is also the only way that the real problems that affect people, in health, education, the economy and social exclusion, can begin to be addressed. There is no substitute for democratically elected local representatives dealing with these issues.

Events of recent weeks and, indeed, of recent days have shown that the problem of loyalist criminal and paramilitary activity remains acute. We need to see an end to criminality that, far from helping or protecting communities, only

adds to their suffering. We need to see the removal of loyalist weapons from the equation. It is these weapons that pose a present danger to the community. They have been used in recent weeks and months for murder, attempted murder, crime and racketeering. The use of guns and explosives against the police force during the recent riots was truly shocking. It was absolutely unjustified and it cannot and will not be rewarded.

We need to consolidate the progress on policing. The role of the Police Service of Northern Ireland is central to a future free of paramilitary threat. In my view, the absence of full cross-community support for the police service is a dangerous threat to the hard won peace that we all enjoy. The PSNI has grown in stature as the Patten reforms have been rolled out. As I said recently in the Dáil, the bravery and impartiality displayed during the recent riots was outstanding.

The Government stands four-square behind the Patten reforms. There will be no turning back from the new beginning in policing. That is why the Government continues to call on all parties to give their support to policing in Northern Ireland. In particular, we have made clear to Sinn Féin that it must deal with this issue. This is not just for the common good, but also for the good of the communities and the people it represents. Democracy and the rule of law are fundamental to a resolution of all of the issues that lie before us.

Clearly, despite all the progress we have made, a significant challenge now lies in rebuilding the trust and confidence of the Unionist community.

I understand that. The events of recent months, in terms of how the Governments would respond to an end to the IRA's activities, had been signalled in advance in various public documents, including the Joint Declaration of 2003. Events such as decommissioning and security normalisation are very welcome. It is unfortunate that, because of the delay in getting to this point, an incorrect perception has been created of a one-way stream of concessions. The Good Friday Agreement is a very balanced document. The peace process is conducted in an even-handed way. The outcomes have already been significant and positive for everyone on these islands. Peace, increased prosperity, equality and reform benefit everybody.

The Good Friday Agreement also established the principle of consent and removed the South's territorial claim on the North. It has helped bring an end to the IRA's armed campaign and the decommissioning of IRA weapons. The Agreement provides the basis for democratic government and a prosperous shared future for everybody.

Regarding decommissioning, people will need time to reflect. I welcome the positive stance

[The Taoiseach.]

taken by some Unionist leaders and leading representatives of the Protestant churches, including Archbishop Robin Eames and the Presbyterian Moderator Dr. Harry Uprichard, following the IICD announcement. Everyone is entitled to form their own opinion. It is not just a question of expecting Unionists to do what others want in time. They must be persuaded and convinced they can trust those who seek their trust. This is not a veto on progress but it is a reality that we must all recognise and address. I believe that trust and confidence can be rebuilt and the Government will do its utmost to assist that process.

The task before us all now is to build a better future and Ireland. This must be an Ireland that is a warm home for everybody who lives here and a cold house for no one. Everyone must feel secure and respected. Above all, the task ahead is, therefore, one of reconciliation. We must achieve a wholehearted and genuine reconciliation with the Unionist people. They have a right to live in peace on this island. Their culture, identity and aspirations must be respected. We also have a right to our aspirations, which can be advanced using only peaceful and democratic means. We must have a deeper dialogue with those who do not share these aspirations. We cannot just talk past them about what we want. If we are to talk of unity, let us talk of uniting people and not just territory.

A shared future will not come easily. Apart from making political progress, we must make progress in the hearts and minds of all the people. We must confront sectarianism and hatred wherever we see them on all sides. We must build more friendships between North and South, Catholic and Protestant, Britain and Ireland. We have achieved far more than people sometimes realise. Relations between Britain and Ireland have never been better. There are growing links between North and South and there is huge potential for developing an all-island economy, building infrastructure and providing better services. We are working hard to tap all of this potential.

Many people have suffered at the hands of these weapons that have now thankfully been removed from our lives. This suffering should never have happened. Decommissioning of weapons does not heal the pain and loss. We will not forget our sad and tragic past. We cannot undo the damage done but we can ensure that no future generations will suffer this pain and loss. The Government will uphold the Good Friday Agreement and the principle of equality. We will play our part in building peace, prosperity and reconciliation. There is no going back to the bad old days. We are building a better future, a shared future.

**Mr. B. Hayes:** On behalf of everyone, I thank the Taoiseach for attending the House today and leading this debate on Northern Ireland, for which we have called for quite some time.

**Mr. Coghlan:** Hear, hear.

**Mr. B. Hayes:** Like the Taoiseach, I pay a tribute to the work of Senators Mansergh and Maurice Hayes over the ten to 15 year period that has brought us to where we are today. It was significant that the Taoiseach reminded the House that the last Irish parliamentarian murdered by the IRA was a Member of the Seanad, Senator Billy Fox of my party. He was killed for no other reason than being a Protestant who lived along the Border. In reminding the House of this awful event the Taoiseach has put all of the hurt and suffering of the past 35 or 40 years in context.

I welcome the Taoiseach. It is fair to say the last time he visited the House there was a significant difference between the Government and my party on issues regarding Detective Garda Jerry McCabe. I welcome the Government's change of policy to adopt the position we argued for in our very substantive motion of April 2004. I do not mention this issue to be churlish, only to say there is an important political point to be made. The period between January and July of 2005, when the IRA needed to recognise that the way forward was to make the act of decommissioning a reality, was important because the IRA was not pampered or given additional promises. It was told it must face decommissioning, which it did.

We should now examine the new concessions sought by the DUP. The day after the decommissioning event some weeks ago, a document issued by the DUP outlined a range of additional new concessions to which I would encourage the Irish and British Governments not to concede.

**Mr. Ryan:** Hear, hear.

**Mr. B. Hayes:** As long as the lowest common denominator in the political process continues to demand additional concessions from both Governments in all of our names effectively, we will not get the type of progress we need. I know this to be the view of the Taoiseach. For example, the concessions sought by the DUP on the policing board are unfair and unworkable. They should be rejected on this basis.

Decommissioning was a great event for Ireland. Successive Irish Governments have sought to bring it about and the Taoiseach deserves credit for his role over the past number of months in helping to persuade people to make that move. However, decommissioning must take place at other levels. We must witness decommissioning of the substantial criminal empire that alleged republicans have put in place on these islands. Do we need any additional evidence of

this reality when today, on the very day we are meeting to discuss this important matter, we discover that the Assets Recovery Agency in Northern Ireland has obtained a warrant of the High Court in London to investigate the ownership of 250 houses in Manchester with a net asset value of £9.6 million sterling? This is property that is allegedly in the ownership of the IRA. It is astonishing that republicans who wanted to fight absentee landlords for many years are now going into the business of renting accommodation in a very large United Kingdom city.

**Mr. Ross:** Hear, hear.

**Mr. B. Hayes:** This is a fact. We must decommission the substantial empire the IRA has amassed by criminal means in recent years. Last week, Senator Minihan put it very well when he stated the IRA was not going out of business but into business. It is the kind of business we must be very careful of and expose, which is the view of every democratic political party inside and outside the House. How can we possibly fight against a political party that allegedly washes dirty money through clean, legitimate operations? Sinn Féin is not a normal democratic constitutional party. While its statement of 28 July on decommissioning is welcome, we must see further evidence that it has travelled the road we all travel on a daily basis. Only when it has divested itself of its empire and illegitimate police force, which attempts to pervert citizens in both jurisdictions, will it be considered a normal constitutional party.

I thank the Taoiseach for meeting members of the Rafferty family recently. They were grateful he would meet them and listen to their case, the details of which he knows better than most. I will use this opportunity to look to the future, be positive about these developments and demand that the substantial criminal empire that is Sinn Féin-IRA be decommissioned. Through these means, we can welcome Sinn Féin into normal constitutional politics.

**Ms O'Rourke:** I join with Senator Brian Hayes in thanking the Taoiseach for attending the House at a very important time in our history. In the years to come, we will hopefully look back to read this debate and reflect upon the pivotal period of Irish history in which it happened. We must look forward as well as back. I compliment the Taoiseach on his qualities of patience, perseverance and, above all, persuasion over the past years, particularly over the past 12 months when there were many shrill voices to which he could have succumbed. Some of these voices had reasons for being so shrill when it appeared as if decommissioning was not about to happen. We all felt a great sense of weariness and *déjà vu* and were left wondering when something would hap-

pen. In such a period, in what may be described as a lacuna, it is very easy to lose sight of the big picture, for which we were all striving, and to seek to speak shrilly to no effect.

We were very fortunate in having the patience and, particularly, the persuasion of the Taoiseach and in being able to listen to his words. We are very honoured — I know the Cathaoirleach will join me in this — in having people like Senator Martin Mansergh and Senator Maurice Hayes in the House. They will be worn out with the compliments because everybody who speaks will repeat them but it is the truth. We have been the recipients of their wisdom, careful words, caveats and deliberations. We continue to read Senator Mansergh's contributions very carefully. Last Saturday's edition of *The Irish Times* contained a very good article by him entitled "Let the Reality of Decommissioning Sink In".

In a way, I understand the long delay of Sinn Féin-IRA with regard to decommissioning. People will ask me why and say that there should have been no delay. There should not have been a regime of murder and maiming but we must remember that Sinn Féin-IRA had an enormous body of people to persuade. It would not be a matter of getting up one morning and saying that it would dump the arms. There would be far more mayhem if decommissioning had been advanced that way. Sinn Féin-IRA had disaffected republicans or republicans in particular situations and it had an enormous body of opinion to bring with it. If it did not succeed the entire effort would be have been aborted. It is not because Sinn Féin-IRA played the long game, although it did so earlier. It played the careful game at this juncture, which had to be done, otherwise the decommissioning process would have failed.

I strongly welcome the Taoiseach's certainty regarding the PSNI. From time to time, we are washed over with scéileanna about the PSNI. I believe it has proved itself to be competent, careful and of the highest order of public service, particularly in working through the reforms in the Patten report. There is also certainty about the killers of Detective Garda Jerry McCabe. I thank Members from the other side of the House who were strong and robust on this issue, which has been put to bed. I am sure that Mrs. McCabe, whom I heard recently on the radio, has faith in the Government's stand on this matter.

In the same way as I spoke about understanding how Sinn Féin-IRA had to bring its people along this path, I equally understand that the Reverend Ian Paisley could not simply come out the next morning and say that he believed the testimony of Reverend Harold Good and Fr. Alec Reid and that both men were very strong and principled people. This is where the Taoiseach's persuasive qualities come into play. Reverend Paisley also had to play a long game and persuade his people because he is now the

[Ms O'Rourke.]

head of the Unionist tradition in Northern Ireland through democratic means. When I heard the Taoiseach's kind remark that he understood the Unionists' point of view, it struck me that both bodies of people have to play a long game otherwise they would not have been able to be embracive.

If Wolfe Tone is around somewhere, he would smile at the fusion of Catholic, Protestant and dissenter in the union of Fr. Reid and Reverend Good in this process. They were united in the fruitful dispatches they made. The clear truth shone from General John de Chastelain, who is every inch a soldier, and the two reverend gentlemen. I very much welcome this and I believe we are all convinced by the very straight evidence they gave. We await the further reports of the Independent Monitoring Commission — one this month and the more important and definitive one in January 2006.

In his speech the Taoiseach said: "The Good Friday Agreement established the principle of consent and removed the South's territorial claim on the North." I appreciate that. It is so true. Consent is now an international characteristic that is built into many peace agreements and recognised as a principle dating back to the days of Woodrow Wilson and agreements made after the First World War. It is hugely important. I will welcome the day when we say and sing "A Nation Once Again", not based on territorial claims but on the principle of consent.

**Ms White:** Hear, hear.

**Mr. Norris:** To demonstrate parity of esteem, may I share my time with Senator Ross?

**An Cathaoirleach:** Senators Norris and Ross have three minutes each.

**Mr. Norris:** I welcome the Taoiseach to the House. It is always good to hear his balanced reports on progress. There has been progress and quite a large proportion is due to the Taoiseach's dogged determination to pursue the course of peace in Northern Ireland in very difficult days. We have had decommissioning, which was a major and spectacular event. I was out of the country at the time but the story was all over the international media. It puts us in a position where we can hold our heads up with a certain amount of respect. We had to wait a long time for it but at least it was done without a major IRA split, which is very significant and important.

It is tragic that each generation seems to have to learn that the use of force is futile. Even when I was a child in school, we learned that the application of force creates an equal and opposite force. Both sides eventually realised that they could not win militarily. I am glad that they did

but at such a cost. This lesson has not yet been fully learned by the governments on the neighbouring island and in the United States of America with their adventure in Iraq. I wish to God that they would learn it soon.

I welcome the fact that the Taoiseach is considering the questions of representation and speaking rights. He has excluded the Dáil, which only leaves this House, so I presume there will be some move here. We have an honourable tradition in this regard in the House, exemplified at present by Senator Maurice Hayes. I also pay tribute to other people who have not been mentioned. One of them is Seamus Mallon, with whom I disagreed on so many of what were called "moral issues". However, he is a man of the utmost integrity, as was the late Gerry Fitt.

There has been movement on the Unionist side. I was very pleased to see the Reverend Ian Paisley going into a Roman Catholic school, meeting with the children and condemning the barbarous notion of the desecration of graves. As a member of the Church of Ireland, I absolutely condemn this kind of behaviour. It is barbarism of the worst sort. Decent people, whatever their disagreements, respect the tribal dead of each side.

We all know there are still problems with Sinn Féin and the IRA. It is not just the news coming from Manchester; it is much closer to home. There are lists of pubs around Dublin that everybody believes have been secured with hot money from the IRA. When I watched "Questions and Answers" approximately six weeks ago, I saw a Sinn Féin representative from the other House. Perhaps I should not name him but I am sure the Taoiseach knows who it is. His initials are "M. F.". He was asked about fund raising and the way Sinn Féin bankrolled all its elections. An individual mentioned bank raids and the Sinn Féin representative calmly replied that this was what he termed "armed fund raising". This suggests that Sinn Féin is a party that is only mildly tainted by constitutionality.

**An Cathaoirleach:** Senator Norris has three minutes left.

**Mr. Norris:** In that case, I will yield to Senator Ross.

**Mr. Ross:** I also pay tribute to the Taoiseach for his extraordinary patience through this very difficult period and his wonderful talent for settling disputes of all kinds, particularly this most difficult one which has confronted this island for centuries. While it may not be solved, it has certainly been greatly ameliorated by his efforts. It is very refreshing to see all-party agreement on and support for what the Taoiseach has done.

Having congratulated all those involved, including those Members of this House, such as

Senators Mansergh and Maurice Hayes, who have played such distinguished roles in bringing peace to this island, it is right that a message should go from Senators Brian Hayes and Norris about the fact while that the IRA may have gone away — hopefully it has done so — its legacy is still with us. Senator Brian Hayes was very courageous to say in this hour of great joy and triumph that while the war is over there is a real danger from these people because they are running what I believe the Minister for Justice, Equality and Law Reform called a parallel type of operational government in this country. The amount of money, property and assets managed by those who are the legacy of the Provisional IRA is horrifying. We underestimate this at our peril. It is possible with very little investigation to find out who is doing what and where.

I will not name anybody in this House but records are open to the public which could lead people in the right direction on this matter. These people are very sophisticated about where the money goes and how to hide its ultimate destination and the ownership of the companies that control what is happening. This is happening in fashionable parts of Dublin, in Donegal, in pubs, hotels and properties. It is particularly prevalent in the obvious cash-based businesses.

I ask the Taoiseach, when he replies, or whoever replies for him, particularly to address the issue of money laundering which is a major problem. Hot, illegal, untaxed money is being washed through the system in a legal way. Let us hear what is being done about that.

I do not wish to spoil the party today. It is a wonderful day and time for the Taoiseach and the country to mark what has been achieved so far.

**Mr. Dardis:** I welcome the Taoiseach to the House, and welcome his words. I echo the congratulations to him on the work he did to bring us to this happy point. I will mention others who deserve congratulations later. When these events were discussed in the other House last week the Taoiseach made the important point that we should greet them not in a spirit of elation but fully conscious of the burden placed on our island by the actions of the IRA. Those words must be endorsed.

There are mixed emotions in the response to these events. While there is relief that the large cache of arms has been destroyed, there is also great regret for the number of people killed over 30 years and the effect of that on their families and loved ones. Those emotions will permeate my words.

We all express gratitude to, and have faith in, General de Chastelain and his colleagues on the Independent International Commission on Decommissioning. They have done this island a great service and one that will not be forgotten. We should compare the phrase, “not a bullet, not

an ounce” with the statement from P. O’Neill last week following decommissioning, “the IRA leadership can now confirm that the process of putting our arms beyond use has been completed”. The gulf between those positions was bridged by the work of General de Chastelain, Andrew Sens and Tauno Nieminem.

The Independent International Commission on Decommissioning proved its credibility throughout the process. I accept without reservation the general’s word. I also accept the commission’s assertion that confidentiality was necessary to ensure that decommissioning happened.

Despite that necessity we heard the compelling evidence of the two independent witnesses. I stated here last week our appreciation for the work of Reverend Harold Good and Father Alec Reid. Their experience must have been quite distressing because not only did they have to witness the acts of decommissioning in the presence of people who had been terrorists but they put their words and reputations on the line. They were scrutinised by the world’s media. Their evidence was compelling, vital and very truthful. Everybody accepts that large quantities of arms have been decommissioned and there is no doubt about that.

The general and his team reported that a large arsenal of ammunition, rifles, machine guns, mortars, missiles, handguns, explosives, explosive substances and other arms, was put beyond use. That is a significant achievement.

Whether this represents every single piece of IRA weaponry is a more debatable issue. The IRA may not even know what or where is the totality of its weaponry. In any event, as a criminal outfit, the IRA has recourse to serious moneys to acquire new arms just as any criminal group can. That will always be the case. The point is that a large quantity of arms has been decommissioned and IRA volunteers have been instructed to engage in the democratic process through exclusively peaceful means. That is a welcome development.

Senator Ross referred to the phrase “the IRA has gone away”. It may be true in a military sense but not in other senses. Sinn Féin may use decommissioning to paint the triumph of constitutional nationalism over violence as some kind of victory. It may even try to use it to airbrush from history the Northern Bank raid, the McCartney murder, the Rafferty murder and many more. That should not be allowed to happen because week after week in these Houses, as many of us can recall, we heard about Le Mon, Loughinisland, the Miami, Enniskillen, Narrow Water. That should not and cannot be forgotten.

It remains to convince the people that all IRA paramilitary and criminal activity has ended. Scepticism is understandable given that the scepticism which some of us expressed about major events in the past, for which we were criticised,

[Mr. Dardis.]

proved to be well-founded, even when significant advances were made. The Government has made it clear that the Garda Síochána will continue with all ongoing investigations and undertake its responsibilities to the fullest in respect of IRA criminal activity.

I await the next report of the Independent Monitoring Commission to be published later this month and the full report next January. They will be key moments. Judgment on the character of Sinn Féin and the so-called republican movement will rightly be withheld until positive reports from the Independent Monitoring Commission are received and decommissioning is an accomplished fact on the ground.

It is incomprehensible that people would not want to control their own affairs and govern their society. The people of Northern Ireland deserve to see their political institutions restored, loyalist paramilitary and criminal activity ended and outstanding police issues resolved. While scepticism is understandable and to a degree welcome, politicians in Northern Ireland must act in the interests of their constituents and respond to their needs. I urge all to do so and to respond positively where they can.

If we are to look optimistically to the next 30 years we should consider the responses and confidence-building process in Northern Ireland in the context of the 30 years of tragedy that befell families on these islands.

I salute all those who took part in this process, the Taoiseach and the British Prime Minister for their patience and diligence in pursuing this matter, and Senator Mansergh. Other names have been mentioned but I wish to add Sam McAughtry and Senator Gordon Wilson who brought a great degree of wisdom to this House on these matters. There are many unsung heroes in public and private life who helped too. I wish they may see the final reward of their work in permanent peace and the emergence of stable domestic democratic politics, based on mutual respect and the principle of consent.

**Mr. Ryan:** Politics can sometimes be very silly. I wish unequivocally to compliment the Taoiseach, without any qualification. Years ago when some people asked me what was the most important quality voluntary organisations needed in lobbying I said “stamina”. They asked what were the second and third qualities to which I again responded “stamina”. I compliment the Taoiseach on his stamina in dealing with this issue. He deserves all our compliments. He has contributed something to the country that we and our children will appreciate.

I wish to add to the names of those who have been deservedly praised. My good friend, John Robb, educated many of us regarding the realities of two things, the first being Northern Ireland

Protestant life, and the second the continued existence of a tiny but very real Northern Presbyterian republican tradition — non-violent, I hasten to add.

I support the Taoiseach in his statement that there was never any moral justification for the campaign. I have frequently asked, publicly and privately, those who supported violence in Northern Ireland how they felt morally superior to Martin Luther King and that they could do things in the name of injustice that he never felt morally justified. The same is true of Mahatma Gandhi. In the Taoiseach's presence, I say that the decision of a senior RTE journalist to use the names of Mr. Adams and Mahatma Gandhi together was a gross insult to the latter. There is a fundamental difference between them in that one man never organised, supported or participated in violence against anyone, while the other, unfortunately, took a different view.

Like everyone else, I accept the validity of the decommissioning, which was a sincere effort on the part of the IRA. I accept that there may well be stragglers. I accept the word of the witnesses and congratulate them on their work. I acknowledge that we are moving on and recognise that some people might have to wait a while to understand it. However, as I have said before, I will not accept people who feel free, politically and morally, to point the finger at all our inadequacies and everything that went wrong over the last 20 years, claiming superiority and being accorded a certain credibility in the media as the new radical party. Perhaps, over that time, we were a little distracted from other things because of a morally reprehensible campaign. Then they tell us that it is time we all looked forward. I am really tired of that; let us all look forward and leave history to be dealt with by historians, but let not some of us be told that we must look forward while others are entitled to pick over the bones of selected issues. Let us all move forward together; that is what I believe.

I look forward to the acceptance of policing and participation in policing structures by all players in Northern Ireland politics. I also look forward to an unequivocal acceptance that on this island there is only one group known as Óglaigh na hÉireann. I have often said in this House that there are not two Óglaigh na hÉireann groups, one capitalised. There is only one, and there is now a very valid question regarding others who claim the name. We accept that they have decommissioned their arms. They say that they are ending all their other activities. What are they doing? I would like someone from that movement to tell me. They do not exist any more. They are not around and say that they do not undertake any actions, so what are they doing?

I do not mean this in any negative way. It is part of the process of winning trust. I have a problem with a march in Dublin at which small

children wear paramilitary uniforms and carry plastic weapons.

**Mr. B. Hayes:** Hear, hear.

**Mr. Ryan:** I know that they are only plastic, but because of what happened in this State and country over 30 years, I never bought a toy gun for any of my children, owing to the repulsive overtones to which we had all had to adjust. I find the idea of children marching, even with plastic guns, along O'Connell Street, repulsive and incompatible with the newly averred commitment to peace and democracy. I pay tribute to the Protestant clergymen in Northern Ireland who have stood at interfaces in periods of intense sectarianism with their Roman Catholic neighbours in their defence against the more extreme forms of loyalism. We need to do so.

I was taken by a phrase the Taoiseach used. He said that we must make this island a warm home for everyone. Of course, we all agree. At the risk of rankling ever so slightly, I wonder whether the Mater Hospital and St. Vincent's Hospital are a warm home for Protestants after the events that were uncovered this week.

**Dr. Mansergh:** I welcome the Taoiseach to the House and congratulate him on the culmination of 11 years of effort, eight of them as Taoiseach. He has every right to be enormously proud of the progress made and of his unique contribution to it. He has brought to fruition the aspirations and efforts of every Government since the foundation of the State. We no longer have an active IRA or paramilitary weapons in our midst. It was a great honour to work for a head of Government with such decent and humane instincts, who was never concerned about striking poses or earning glory for himself but about getting the business done, often in a quiet, what may be termed a "keep the head down" manner. For that reason, not everyone realised the sheer number of hours spent on effort and patient conciliation that went into the process.

Perhaps I might be permitted to mention some of those who helped the Taoiseach, particularly regarding decommissioning. The role played by Tim Dalton, until recently Secretary General of the Department of Justice, Equality and Law Reform, was outstanding. He was a great servant of the State. I might also mention successive Secretaries General in the Department of the Taoiseach, Paddy Teahon, Dermot Gallagher and, today, Michael Collins. The assistant secretaries were also outstanding people. In the Department of Foreign Affairs, there were Seán Ó hUiginn, Daithí Ó Ceallaigh—

**An Cathaoirleach:** The Senator should not read out a list of names.

**Dr. Mansergh:**—and Brendan Scannell. It is appropriate that their role in an absolutely historic achievement be recorded, and I may be in a better position to state the facts than others.

There are obviously still many problems to address. Some of them have already been referred to in this House. There are the questions of clearing up criminality, policing, devolution, and dealing with sectarianism. I have been encouraged by the forward attitude adopted by many Unionist and Protestant leaders in the North in trying to tackle something that is totally unacceptable in any civilised society. A tribute has been paid to General de Chastelain, who once again exemplifies patience and perseverance, as Senator Mitchell did during the talks. Both men could easily have walked away. Fr. Alec Reid has been with the process from the start and is in some ways its alpha and omega.

The various parties have all made important positive contributions. I believe that Mark Durkan of the SDLP is in the House today. I praise the Ulster Unionist Party, despite the fact that it has been punished for its pains, and even the DUP for its recent behaviour, however critical I might have been in the past. It is also appropriate, although it may go against the grain with colleagues, to praise the substantial achievement of the Sinn Féin leadership, Gerry Adams, Martin McGuinness and their colleagues. I have no more time than anyone else for their role in the conflict. However, I admire the way in which they have managed to extract themselves and their movement from the strategy of violence. There are no precedents in Irish history for what has been done and the stage at which we have arrived. Moreover, I am aware of few such precedents abroad.

**Mr. Cummins:** I propose to share time with Senator Coghlan.

**An Cathaoirleach:** Is that agreed? Agreed.

**Mr. Cummins:** I welcome last week's decommissioning which was a recognition by the IRA that it could not bomb 1 million Protestants into a united Ireland. One hopes the IRA is now committed to peaceful means as the only way of securing its objectives.

I joined Fine Gael in the early 1970s when our policy on Northern Ireland encompassed unification by peaceful means and with the consent of a majority in the North. This policy has remained the same and I am pleased that many other parties have adopted a similar approach. Such a policy formed the basis of both the Anglo-Irish Agreement and the Good Friday Agreement and ensured the issue of consent was given sufficient emphasis.

We have always supported a unified approach to the Northern question. I join previous speakers

[Mr. Cummins.]

in complimenting everybody involved in the peace process through many years. It is time for Sinn Féin to offer its support to the PSNI and to become involved in the policing board. It is appropriate that we should wish the vice-chairman of the board, Denis Bradley, well following the attack he suffered at the hands of thugs. No other name can be given to the perpetrators.

**Dr. Mansergh:** Hear, hear.

**Mr. Cummins:** I compliment the members of the policing board and offer support to the PSNI which is of paramount importance for the future of good policing and good relations within the North's communities.

The Taoiseach said he would deal with the issue of so-called on-the-runs at a later stage. I hope any such persons with an involvement in the death of Detective Garda Jerry McCabe will not come into the equation if consideration is given to some type of amnesty. That murder was a crime whose perpetrators fall outside the remit of the Good Friday Agreement.

**Mr. Coghlan:** I compliment the Taoiseach and all Members who have spoken on this issue. It is likely that each of us may repeat other Members' words because nobody in this House, as a democratically elected public representative, could disagree with anything the Taoiseach or Members have said. I compliment the Taoiseach on his role in the peace process. Nobody has invested as much time and effort in that process and nobody has achieved so much. He has attained the results which eluded his predecessors. In addition, I compliment Senators Maurice Hayes and Mansergh for their contributions. There is no need to repeat all they have done.

We have waited more than a decade for this development. Notwithstanding this long wait, it is most welcome. We all applaud the work done by General John de Chastelain, Fr. Alec Reid and Reverend Harold Good and the manner in which they communicated that achievement. All reasonably minded people accept it for what it was, a total decommissioning of the IRA's weaponry. This is a marvellous development for our democracy, representing the final abandonment of the republicans' dual strategy, described by Danny Morrison as the armalite and the ballot box. Despite our objections to what happened in the past, we must, as Senator Mansergh said, acknowledge the leadership Mr. Adams and Mr. McGuinness have given. The inventory is consistent with the arms decommissioned. Republicanism's public representatives have clearly chosen politics and democracy. That is the only way in which the political process can move forward.

We look forward to the restoration of devolved government. The commitment to the criminal

justice system on the part of Sinn Féin is central, especially the question of policing. We all accept that policing is the cornerstone of democracy. There can be only one Army and one police force. I look forward to the Independent Monitoring Commission's reports this month and in January. I also anticipate loyalist decommissioning. Intimidation and extortion by loyalist paramilitaries must end sooner rather than later.

**Dr. M. Hayes:** I welcome the Minister of State, Deputy Kitt. I hope he does not mind that I wish to address the spirit of the Taoiseach as if he were still here. It is a great day for the Taoiseach and we are glad of the opportunity to congratulate him on his contribution to the peace process, which is not only enormous but crucial. A mutual friend, Chris Patten, once described the Taoiseach as a "canny operator whose calculatedly unsophisticated style masks a clear mind, a mastery of detail and tactical wizardry". This was in reference to his role during the EU Presidency but it fits the bill on this occasion. I would like to be associated with the remarks of Senator Mansergh, particularly his reference to the work of the public servants who were involved in securing decommissioning.

What I particularly appreciated about the Taoiseach's speech was not only its content but its irenic and generous tone and its focus on reconciliation. The task for this political generation and possibly the next is to secure reconciliation in Northern Ireland. Without that, no other unity is achievable or, if achievable, is worth much. People must dedicate themselves to this task. I too recognise the work done by the Sinn Féin leadership to achieve this and acknowledge what it meant to the republican movement and those who bore arms, whatever our opinion on the use of those arms, to give them up.

Unfinished business remains and one aspect of this is policing. I am grateful to the Taoiseach for his kind remarks. However, I believe the most useful contribution I have made is as a member of the Independent Commission on Policing. I spoke to the chairman, Chris Patten, some days ago and we discussed how all the members believe we did a decent job. Moreover, we all believe the PSNI has made much more progress at this stage than we thought it would. Only one development is needed to bring it the rest of the way and that is the participation of young men and women from republican areas with the support of Sinn Féin. The sooner this is done the better. Punishment beatings and vigilantism, much as we find them reprehensible, are a form of social control. If this is taken away, who will protect old ladies and children from attackers or rapists? There is an absolute need for policing in these areas and Sinn Féin must recognise that. Apart from this, one looks forward to loyalist

decommissioning and to a concentrated attack on sectarianism.

My view on the question of direct representation in the Oireachtas may seem strange given my membership of this House.

However, the constitutional principle of no representation without taxation, dating back to the Boston tea party, militates against it. It also runs the risk of subverting the Agreement itself.

**Dr. Mansergh:** Hear, hear.

**Dr. M. Hayes:** The Agreement provided elaborate balancing structures. If we frighten off Unionists by suggesting they are on a rollercoaster which takes them inevitably to the destination of a united Ireland it is not only subversive but problematic.

I agree with Senator Dardis on the need for a local administration. Only a local administration will work. Even if direct rule Ministers are efficient and responsive, and there is no indication the present crowd are either, they cannot do the job.

In terms of the review of the Agreement it is important to ensure there is cross-community based responsible government. The DUP may be correct that, from an administrative point of view, not everything worked well last time. I would not die in the ditch with the d'Hondt principle or a system that did not have collective cabinet responsibility. None of us could work in such a system. I wish the people involved well and congratulate the Taoiseach not only on his achievements but on the leadership he provided in his speech today.

**Mr. O'Toole:** I welcome the Minister and associate myself with the words of congratulation and acknowledgement to all concerned, namely the Taoiseach, Senator Mansergh and others behind the scenes. It is an extraordinary achievement.

Some people upbraid political parties for confronting Sinn Féin but it is healthy. It means that party is being welcomed into constitutional politics. They are part of the game now and must take the ups and downs of political life. They are fair game now that they are engaged in the challenge for the hearts and minds of voters. There is nothing wrong with that and I do not consider it mean-spirited for political parties to take their chosen positions.

The condition of Protestant working class estates is a problem. I recall the pictures of Mo Mowlam visiting the republican section of the Maze and seeing prisoners in their smart suits and well-cut clothes looking clean, tidy and respectable. Then she visited the loyalist side and met men with enhanced muscular development, tattoos and short hair. The difference was striking and will take generations to break down. We

need to win trust and confidence among those people. In the loyalist community working class estates are completely cut off from political representation and see no value in politics, no gains to be made from a process from which they are disconnected. This at variance with the republican side who see politics as a way forward. Richard O'Rawe's book about the H-blocks and the attitude of the Sinn Féin leadership to the transition from the gun into politics is interesting.

The point Senator Maurice Hayes made about reconciliation is crucial and is worth focusing on. I have dealt with Northern Ireland all my professional life and could present chapter and verse about the importance of local administration. The Sinn Féin Minister for Education was superb because he was from Northern Ireland and sympathetic to all sides. It was refreshing to deal with a Minister who was rooted in the area. A previous Minister, who later became chairman of the conservative party, was ineffective, even though he was born in the North.

The Minister will have been aware from his career as a teacher that in the North they had a policy called education for mutual understanding and cultural heritage. It did not work because the bar was too low. Members of the two communities met twice a year and played a game of soccer. They did not play Gaelic football or cricket. Part of the mutual understanding was that there were lines that were not crossed.

Tolerance was the next big idea and is a fine aspiration. Cardinal Newman said tolerance was the mark of an educated person. However, it does not bring us far enough and does not breach the problem we have created in the North which will take generations to undo. It does not bring us to the reconciliation about which Senator Hayes spoke. Ultimately it means not just giving space to people, but understanding them and being ecumenical. As we have learned from other parts of the world it is not about the space we give each other but the quality of the engagement and interaction between us. That does not happen at present. The day we take down the peace line will be a bigger day than this week.

**Mr. B. Hayes:** That is right.

**Mr. O'Toole:** That is what we need to try to do. Children are born in a Roman Catholic hospital, live in a Roman Catholic housing estate and go to a Roman Catholic school and, after being looked after in a Roman Catholic hospital are buried in a Roman Catholic graveyard. It is the same on the other side. Why can the children of this island not be educated together and follow a common curriculum in their schools? Why can the sash and the shamrock not be in the same history programme? Why can we not celebrate our differences and recognise the importance of such events as the Battle of the Boyne? It is

[Mr. O'Toole.]

because there is no more stomach for it in the South than in the North. We cannot even have an all-Ireland policy for the Irish language. Instead a partitionist approach exists to which Sinn Féin and the Catholic Church subscribe. The political establishment adopts the same stance. Somebody needs to take the courageous step of bringing these issues together. We should begin with what young people learn in schools.

**Mr. Minihan:** My colleague Senator Dardis has outlined the views of the Progressive Democrats so I will avoid duplication. I extend congratulations to the Taoiseach on his statement in the House today and on the role he has played in bringing the process to its present stage. The announcement of the Independent International Commission on Decommissioning that it has overseen the completion of IRA decommissioning is welcome and I add my voice to expressions of gratitude to General de Chastelain and his team. I am as relieved as anyone that the IRA has put its vast array of weaponry beyond use. I accept the word of the IICD and of the independent witnesses, Reverend Harold Good and Fr. Alec Reid. The scepticism from some quarters, if somewhat disappointing, is not unexpected. I will focus on two specific points, decommissioning as a political weapon and the decommissioning of mindsets. I will be pilloried for homing in on these two issues, for being a naysayer, ignoring the silver lining and staying under the cloud. These weapons should not have been there in the first place. I will not celebrate and congratulate people on this issue, and I will not forget or ignore.

Decommissioning is a political weapon, and a temptation remains to lose sight of disturbing events and allow the relief from decommissioning to numb our senses. This is understandable but it is, to a degree, a deliberate trap set by the so-called republican movement. The entire process has been exploited by Sinn Féin from the beginning. Before the ceasefire the arms of the IRA were used in anger to attempt to force democratic parties in Governments to meet Sinn Féin's demands. When that strategy failed, the arms of the IRA were used as the ultimate bargaining chip to ensure that Sinn Féin could maintain a veto on progress and undermine the central ground on both sides of the political divide.

Decommissioning is even now being used by the so-called republican movement in two ways. First, in the North we see decommissioning celebrated in Nationalist areas to a greater extent than in Unionist areas. In some cases, we see decommissioning celebrated to a greater extent in Nationalist areas than was the ceasefire of 1994, with flag-waving, the beeping of horns and victory parades. Mr. Adams proclaimed on the

day that the IRA's courageous decision was the correct thing to do. However, the group should not be congratulated for doing what it did. Sinn Féin will exploit what they can, when they can and where they can. Decommissioning was the party's largest chip, and it had to ensure it received the maximum benefit from it. Selling it as a victory in the North was one part of this, and it was sold as what was good for Nationalists must be bad for Unionists.

The second way that decommissioning is being used is evident in this State. The welcome move on arms is being exploited to its full potential in this jurisdiction. I would be first in acknowledging the effort being put into bringing the IRA to this point, and such effort should not be without political reward for those brave and sensible enough to make it happen. The reward for the effort should only go so far, however, and should not be stretched to conceal criminal behaviour, thuggery, racketeering, paramilitary beatings of teenagers, bank jobs, the slaughter of Robert McCartney, or the cold-blooded murder of Joseph Rafferty.

I will conclude on the decommissioning of mindsets. At the time of the tragic hunger strikes, black mourning flags on homes and lamp posts became commonplace across the country. We witnessed marches with hundreds of protesters carrying black flags silently in mourning. Just 24 hours before details of the IRA decommissioning emerged, some 3,000 people attended a carnival in Dublin city centre. Sinn Féin representatives acted as masters of ceremonies on the stage outside the GPO, introducing musical acts and theatrical performances. A number of poets and musical acts were also present, and children posed with people in paramilitary garb with fake machine guns and balloons.

We require a decommissioning of mindsets, as how much more appropriate would it have been if so-called republicans had marched with 3,000 black flags to mark decommissioning and the end of physical force republicanism? How much more appropriate would it have been for the memories of 3,523 people killed during the Troubles and the 1,706 people killed with IRA weapons?

**Mr. B. Hayes:** Hear, hear.

**Mr. U. Burke:** I wish to be associated with the words of congratulations to all involved in bringing about the historic decommissioning process of the past week. Many Members have paid tribute to people who contributed in many ways to what has come about. There were omissions, however, as I listened to the debate up until now.

I wish to record the part played by the leaders of Fine Gael-led Governments from the past, beginning with Liam Cosgrave and his efforts with the Sunningdale Agreement, which constituted the first steps to peace in Northern Ireland.

Following from this, Garrett FitzGerald as Taoiseach played a part in the Anglo-Irish Agreement, which was a major step forward at the time. Many people criticised him for his work in that instance, and I wish to record that he contributed in a major way to the bringing about of decommissioning. In more recent times, John Bruton played a part.

Many speakers today have paid tribute to General John de Chastelain and his work, but I wish to record that his appointment, and that of Mr. Mitchell, were monumental steps forward in the progress seen today. A name that has not been mentioned today is John Hume of the SDLP, who put his political head on the line when he was the first to reach out a hand in political friendship to the IRA and Sinn Féin.

**Senators:** Hear, hear.

**Mr. U. Burke:** I would appreciate if these people were recognised and not forgotten in this episode. It has been stated that there is a huge commitment and risk involved for people who made initial steps. Criticisms were meted out by various commentators and sections of the media at people who made a commitment and placed their heads on the political line over the years, going back as far as the Sunningdale Agreement. I have always resented the way these people were described, with John Bruton being called names such as "Unionist John" and other derogatory terms. These criticisms were very unfair, and were made by people who did not have a commitment to the peace process down the line.

I acknowledge the contribution of the Taoiseach and Ministers down the years in the work to date. They have made a great effort to talk and bring on board their counterparts in Northern Ireland. I also acknowledge the part played by respective British Prime Ministers during the period in question, and the former Unionist leaders who made an effort but were pushed aside by the fury of those who did not want peace at that stage.

I endorse what has been said by Senator Brian Hayes with regard to the unfinished work. It is good that decommissioning has come about and that the guns are silent, but there are still skeletons in the cupboards that must be removed for us to be finally content that all people on this island can live together and support each other for the benefit of future generations.

**Ms Ormonde:** I wish to share time with Senator Jim Walsh.

**An Leas-Chathaoirleach:** Is that agreed? Agreed.

**Ms Ormonde:** I welcome the Minister of State. I am glad of the opportunity to contribute to the

debate as, owing to my background, I have always been interested in the affairs of Northern Ireland throughout the years. Today is an opportunity to congratulate the Taoiseach on the political time he has put into attaining this result. There is no doubt that were it not for his leadership and persuasive skills we would not be debating this issue today.

I acknowledge also the work of my colleagues Senator Mansergh and Senator Maurice Hayes and many public servants behind the scenes and all the parties who got involved in reaching the Good Friday Agreement and moving it forward. Following a stop-start process during the past seven years the decommissioning of weapons was an historic day for all of us. The way forward from here on is through the ballot box.

The future, the political side, has to be looked at in other ways. How do we move forward? In his contribution the Taoiseach referred to that issue in terms of how we reconcile all parties in the North and bring about confidence and trust. Those are key words that one must not lose. If that confidence and trust is not restored in the minds and hearts of the people in the North of Ireland we cannot move forward. All political leaders, North and South, have a huge role to play in bridging the gaps and creating the friendships, North and South. It has to be done through an all-Ireland economy, through Departments and Ministers working with the reformed institutions in the North of Ireland. If it is not approached in that way we cannot go any further.

I have listened carefully to the comments on suspects, criminality and the sectarianism. We acknowledge it still exists but we must move forward. However, if we do not have confidence and trust in the man in the street and in the communities North and South we cannot move forward. All of us have a role to play. We must not look back but try to bring everybody forward. We must convince the leaders, particularly those on the Unionist side, that this is a role for all of us. This is an historic day. We can move forward and ensure there is no more sectarian violence and that we will co-operate with the PSNI. There is a message for all of us that we want to proceed through peaceful means and we have arrived at that stage. Let us move forward from there.

**Mr. J. Walsh:** I thank Senator Ormonde for sharing time. I join with those who paid tribute to the Taoiseach, not only for his fine contribution to the House but for charting the vision for the future in Northern Ireland. It was symptomatic of the leadership he has shown throughout the whole process. I welcome the decommissioning and acknowledge it must have been a difficult decision to subscribe to for many who had served within the IRA. It was a prerequisite for the normalisation of society in Northern Ireland. If aspirations are to be advanced the nor-

[Mr. J. Walsh.]

malisation of society was one of the first steps in that regard. I would hope that the encouragement, criticism and pressure that many constitutional politicians brought to bear on Sinn Féin and the IRA to advance to the decommissioning decision will be brought to bear with the same level of commitment to ensure the loyalist paramilitaries follow suit and disarm and terminate the criminal activities in which they are involved. Civilised society demands no less from those who live within those societies.

The issue of policing has been raised. Undoubtedly, Nationalist confidence in policing would have been given a major boost by the manner in which the police dealt with the loyalists in the North. I realise there was criticism from the Unionist community of the enthusiasm of the police. Nonetheless it was a step forward.

There are further steps to be taken by the police. The whole issue of sectarianism which was alluded to by Senator Maurice Hayes and others is a blight on society in Northern Ireland. According to reports it appears that not every area in Northern Ireland gets the same even-handed approach from the police in tackling that cancer in society. There is further progress to be made. The participation of all on the Nationalist and republican sides in policing will be a step in advancing an even-handed acceptable policing of society in Northern Ireland, which is essential.

With regard to Oireachtas representation for Northern Ireland representatives, I caution against developing a partitionist mentality in this regard. Some of the comments I have heard would appear to indicate we are becoming partitionist in our thinking. I would welcome active and full participation from Northern Ireland representatives in these Houses. As Senator Maurice Hayes has said it is important that is done in a way that does not alienate Unionists. The objective should be to have Unionist representation here to make its case in the Houses of the Oireachtas as part of the dialogue and interaction that is needed between communities, North and South, and between communities in Northern Ireland in order to lead to the reconciliation that everybody recognises is the way forward.

**Labhrás Ó Murchú:** I dtosach báire, ba mhaith liom moladh a thabhairt don Taoiseach mar gheall ar an tsárobair a dhein sé maidir le próiseas na síochána. Mar a dúirt mé sa Teach seo cheana, níl aon amhras ormsa ach go bhfuil áit faoi leith bainte amach aige i stair na hÉireann, agus, ar ndóigh, do gach éinne eile a chabhraigh leis chomh maith.

On a previous occasion here I availed of the opportunity when commenting on the work of the Taoiseach to say that I believe he had already secured a positive place in the annals of Irish history as a result of his work on the peace process.

I commend him and all others and, in particular, our two colleagues who have been rightly mentioned here, Senator Mansergh and Senator Maurice Hayes, two men of the highest calibre, who have not just demonstrated wisdom but courage, balance and vision. They were particularly important.

If one looks over the debates in the Official Report one will find fluctuation from one incident to the next. It was always important that we had an anchor to ensure that whatever progress was made could be built on. In his contribution today, the Taoiseach rightly asked who could possibly have envisaged years ago that we would reach this juncture. That is correct. In years to come we will look back on this debate and, hopefully, judge progress on the sentiments and aspirations being expressed here. I would hope one of those occasions will be when we are welcoming a united Ireland when all the people on this island together, irrespective of party politics or religious persuasion, will come to the realisation that we have one island, that we live in a greatly changed world, that we have much in common and have proved time and again it is possible to harmonise different policies and aspirations.

We all realise and are fully conscious of the import of the famous dictum, "All it takes for evil to prosper is that good men do nothing". That is one of the reasons it was necessary for us today to try to bring about a democratic approach to the difficulties. In regard to the evil that took place for decades in the North of Ireland many good men and women acquiesced and said nothing. A fascist, paramilitary-style police force — the B Specials — ran riot against ordinary, honest to God people in order to uphold a corrupt and undemocratic regime on this island. The RUC was a sectarian police force and there is absolutely no doubt that, as a result of the many independent inquiries we have had, its members were up to their eyeballs in collusion with loyalist terrorists. Look at what happened concerning the collusion with British security forces as regards the Dublin and Monaghan bombings. We had to push that inquiry to one side because we could make no progress. Names such as Finucane, Hamill, Nelson and others are a testimony to the corruption that existed in the North of Ireland and that was also perpetrated in the Republic.

It was not my intention to say such things until I realised that in the intensity — and I would say it is with goodwill — of the current momentum, there seems to be a move to consider only the sensitivities of the Unionist community, which is right. However, it is not right that there should be no perception of a conspiracy of silence when it comes to the outrageous sectarian attacks which are being perpetrated against Nationalists and Catholics in the North of Ireland by loyalists, with insufficient condemnation from Unionists. If we go down the road once more of creating an

imbalance then it could be said to us in years to come that the reason that evil thrived was because good men and women said nothing.

We all have memories of the terrible days we have come through, but we are also well aware of the magnificent opportunities now at our disposal. Over the years I have had nothing but the most co-operative relationships with the Unionists of Northern Ireland. I had a good friend in Sir Robert Kidd who was the former chairman of the Northern Ireland Civil Service. I was chairman of a body of which he was vice-chairman. On many occasions, I travelled to the North of Ireland with Mr. Paddy Teahon for meetings on specific issues in the North. Even though one may come from a different political background and tradition, I never encountered any difficulties because we were not dealing with megaphone diplomacy.

We must be sensitive about the views of Unionists but we must also be sensitive about the views of Nationalists. I praise the leadership of Sinn Féin. As Senator Mansergh said, this is unprecedented in Irish history; the Leader also pointed to that fact. Only for that leadership, which is so committed and astute, I fully accept that we would now have splits and further violence on this island.

My proudest day will be when representatives from the North of Ireland come here to debate issues of common cause in a balanced way. I salute the Taoiseach and others of all political affiliations who have contributed to this historical development.

**Mr. Glynn:** Those who might have difficulty in understanding the words “patience” and “perseverance” have only to study the Taoiseach, Deputy Bertie Ahern, to discover a living example of those terms. The Minister of State, Deputy Tom Kitt, has played a supportive role since taking over his current portfolio. Senator Mansergh and Senator Maurice Hayes have acquitted themselves extremely well in this regard. Equally, I agree that the leadership of Sinn Féin, including Mr. Gerry Adams and Mr. Martin McGuinness, played a pivotal role, as did Mr. John Hume. Let us be realistic because these are the facts. Ulster Unionists also took brave steps and went where others feared to tread, although some of them have been punished for doing so. There was a steely determination on the part of the Taoiseach, Gerry Adams, Martin McGuinness, John Hume and others of that ilk in pursuance of the objective that, thankfully, we are celebrating today.

A number of speakers in this debate, including the Taoiseach and the Leader of the House, referred to the fact that injustice and force attain nothing. It should be recalled that the first banned civil rights march in Northern Ireland, in October 1968, came about as a result of injustices,

including the fact that people with no property were not entitled to vote. All such injustices brought about the situation we are discussing today.

While we welcome decommissioning, I also hope that we will see loyalist arms being decommissioned. In condemning the murder of a Member of this House, Senator Billy Fox, I hope the murder of another elected representative, Councillor Eddie Fullerton, will also be condemned. I hope the perpetrators of those dastardly acts will be pursued and brought to justice. The word “collusion” looms large in one’s mind when speaking of the murder of Councillor Fullerton.

Both traditions in the North have shown leadership but, to use the words of Mr. David Trimble, now that the DUP is in the driving seat it will have to drive. There are responsibilities upon the DUP to do so, given the ongoing attacks on Catholics.

**An Leas-Chathaoirleach:** I did not include Senator Brennan who indicated earlier that he wished to contribute, although I did not see him do so. Will Senator Glynn give some of his remaining time to Senator Brennan?

**Mr. Glynn:** I will.

**Ms O’Rourke:** The Minister of State has to reply.

**An Leas-Chathaoirleach:** The Minister of State will have two minutes.

**Mr. Glynn:** This situation presents a challenge to all concerned. Triumphalism and provocative marches must cease. The PSNI must be impartial in enforcing the law. A number of people who visited here, led by a member of the Northern Ireland Assembly, highlighted the seriousness of loyalist violence. They said that when a telephone call in complaint was made to the PSNI, the person who made the call waited 45 minutes for someone to speak to him. A call acknowledging the initial complaint was received two and a half hours later. That is a typical example of delayed reaction. There must be peace but it has to be peace with justice. The PSNI must be impartial in enforcing the law.

**Mr. Brennan:** I thank you, a Leas-Chathaoirleach, for the opportunity to contribute briefly to this debate. I thank the Taoiseach, the Minister of State and the leaders of all political parties who have played a leading role in the decommissioning that has occurred. I come from Adare, a rural part of County Limerick, where all religions and none work together for the betterment of our community and country. In recent years, we saw an atrocity in our village when

[Mr. Brennan.]

Detective Garda Jerry McCabe was shot dead and an attempt was made to murder his colleague, Detective Garda Ben O'Sullivan.

I welcome the decommissioning that has taken place and wish the Taoiseach every success in working for the betterment of our country in future.

**Minister of State at the Department of the Taoiseach (Mr. T. Kitt):** I am privileged to have been present for most of this debate and am proud of the pivotal role the Fianna Fáil Party has played in bringing peace to this island. I wish to be associated with the remarks of those who referred to the work of Senator Maurice Hayes and Senator Mansergh. The latter Senator has worked with many leaders of our party. I echo the words of those who praised the work of the Uachtarán of Fianna Fáil, Taoiseach, Deputy Bertie Ahern. I have been privileged to work closely with him and have witnessed his powers of persuasion as well as his negotiating skills of which we are all aware. Many speakers also mentioned his patience, clear thinking and leadership in representing our party's position. It is a matter that is very close to our party.

I also acknowledge the leadership of Sinn Féin and the many parties that have worked so hard, the SDLP, the Ulster Unionist Party, the Alliance Party and the Women's Coalition. There are many unsung heroes who have worked hard over the years. When I was Minister of State in the Department of Foreign Affairs I became closely involved in supporting the work of then Minister for Foreign Affairs, Deputy Cowen, and the Taoiseach and I am still very involved in every way I can be with the Taoiseach. We have talked about Sinn Féin and the work it has done. Senator O'Toole and others mentioned the working class Protestants, which was how he described that community. Senator Ó Murchú mentioned people on the Unionist side. Like many Senators, I too got to know many such people including loyalists like David Ervine and Billy Hutchinson. Such personal relationships are very important in politics.

We all know that Northern Ireland is a divided society. John Hume and others have articulated this very well. In travelling there for the best part of two years with the then Minister for Foreign Affairs, Deputy Cowen, and talking to all the parties, I realised the amount of disadvantage and unemployment in, let us call them, working class Protestant areas; this was also the case in working class Catholic areas. We call them such, as that is the way it is. Following meetings with people like Billy Hutchinson, David Ervine and others I felt it was a great pity we could not move further in reconciliation and joining hands across the peace lines. The real issues for politicians in the South

are dealing with disadvantage and unemployment. One could not but feel fortunate to have a society where we are free to deal with areas of disadvantage and give people opportunities. In many ways communities are imprisoned economically and socially because of the system and the pain and suffering experienced over many years.

I am privileged to have supported in my small way the Taoiseach and former Minister for Foreign Affairs, Deputy Cowen, in trying to cross those barriers. We have made major progress under the Taoiseach, the Minister for Justice, Equality and Law Reform, Deputy McDowell, and the Minister for Foreign Affairs, Deputy Dermot Ahern, in reaching the point of IRA decommissioning. However, much more remains to be done. References were made here to reaching out to other communities. The Taoiseach said we need to build further friendships between North and South, Catholic and Protestant, Britain and Ireland. He has shown tremendous leadership.

I make one slightly partisan note. In the other Chamber, an Opposition Member suggested that the Taoiseach should always have officials with him when holding these meetings, which shows a lack of understanding of how to deal with conflict resolution.

**Senators:** Hear, hear.

**Mr. T. Kitt:** Let us consider the relationship between the Taoiseach and the British Prime Minister, Tony Blair. The Taoiseach has had to hold many meetings. Someone decried that he met people in his constituency office, which I believe is to his credit.

**Dr. Mansergh:** Absolutely.

**Mr. T. Kitt:** At late hours and early hours he met various individuals to move the process along and full credit is due to him. While it is great to have official meetings in Government Buildings, Iveagh House, Stormont etc., it is vital to have informal meetings moving the process along. All those meetings were held for the right reasons which is why we are where we are.

Many Senators expressed concern about Sinn Féin, money laundering and assets. The assets of the IRA are held illegally by that organisation and those assets will be pursued relentlessly. The law has not changed and the forces of law and order will continue to uphold that law.

**An Leas-Chathaoirleach:** When is it proposed to sit again?

**Ms O'Rourke:** On Tuesday, 11 October, at 2.30 p.m.

## Adjournment Matters.

---

### Wildlife Conservation.

**Mr. Coghlan:** I welcome the Minister to the House. Before I speak about the native reindeer species, I thank the Minister for his visit to Killarney on 26 July when he launched the updated management plan for Killarney National Park and signed an historic new five-year agreement with the trustees of Mucross House. Both are very much appreciated and I record my thanks to him.

The Minister and I have discussed this matter here before. At the time I did not receive any numbers as to the native red deer herd size. The first thing we need is an accurate figure. As we know, the native red deer were faced with extinction not too long ago. I have heard various numbers mentioned and if the Minister has an accurate number I would be delighted to receive it.

It is a pity that I have to speak before the Minister does, as my reason for tabling this matter on the Adjournment was to get an update from him on the information he has from the National Parks and Wildlife Service. While those working in the service are conscientious in their own way they have had difficulty with the herd. It is complicated by the fact that the native red deer are greatly outnumbered by the sika deer. Considerably more road accidents are caused by sika than by red deer. I accept that deer will wander in search of grazing and will stray beyond national park boundaries. If a cull is required, we should remove the imported sika species. Perhaps Killarney National Park should be the preserve of the native red deer.

Encroachment has taken place on the uplands mainly by sheep and also by rhododendron, etc. Many different accounts have been given. I ask the Minister to outline the Department's position on the cull. No one wants the danger of guns in the park. Many walkers traverse the park. We are encouraging more walking holidays and hill walking. While some of these hunters are probably very responsible, I would prefer if the sika deer could be shot with tranquillisers and taken out of the park. Deer are becoming a nuisance to farmers — in particular on the Mangerton side towards Kilgarvan. I can supply the Minister with the name of one poor farmer who is bedevilled by the animals. I accept that while they are on his lands they are his property but he will not seek a licence to shoot deer. However, perhaps he could be assisted in that work by an appropriate member of staff.

I appeal to the Minister to work with Kerry County Council to provide more road signs showing that deer are wandering. As we know, the road from Killarney to Kenmare passes through

the heart of the national park. The 100 km/h signs on that stretch of road should be removed. It is hardly possible to achieve such a speed with the chicanes, twists and narrowness. I appeal for the signs between Mucross village and Fivemilebridge to be removed.

I tabled this matter to get an update from the Minister. Perhaps I might be allowed to make a quick response after the Minister has spoken.

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I thank the Senator for raising the issue and also for his kind words. I will give him an assurance regarding guns in the park, as I understand how sincerely he is concerned about that matter.

The Wildlife Acts enable my Department to make orders providing for open seasons for the hunting of wild red, sika or fallow deer. In general, the open season for stags runs from 1 September to 31 December and for hinds, including antlerless males, from 1 November to 28 February. Some regional variations exist in Dublin and Wicklow. Applications for licences to hunt wild deer under section 29(1) of the Wildlife Act 1976, as amended, are considered by my Department from 1 August for the following open season. Some 2,215 such licences were issued for the 2003-04 season and 2,475 were issued for the 2004-05 season. The extent of the deer-hunting season is reviewed annually by staff of the National Parks and Wildlife Service of my Department, taking account of the conservation needs of the individual species.

Moving to the location of concern to the Senator, the position is that outside of Killarney National Park, wild sika and fallow deer can be hunted during the open season for deer, on foot of a deer hunting licence. However, with regard to red deer it has become clear that there is a large population of these deer over a wide area of County Kerry. Senator Coghlan may recall when we were recently in Killarney that there was a suggestion that the herd had gone from some hundreds, with its viability in question, to a figure of thousands. I will ask for detailed figures to be sent to the Senator as soon as they become available.

**Mr. Coghlan:** That is what we need.

**Mr. Roche:** I am aware that is a concern of the Senator. The trend of a hugely increasing red deer population has led to concerns being raised on how to control the overall population. There is also substantial evidence of ecological damage as a consequence of expanding deer populations. My Department must have regard to such concerns and considerations.

The trend in red deer population numbers shows that the Killarney red deer population is in no way at risk, and consequently there is no

[Mr. Roche.]

longer a basis for having a significantly more limited regime in Killarney than has been the case in other parts of the country. For these reasons, and as was already signalled to this House in May 2005, I have decided that for the upcoming 2005-06 open season, female red deer in County Kerry will be included in the open season as a method of controlling the increase in the numbers of the species throughout the county. It is accepted that hinds, as breeders, are the main source of deer numbers and hence the need for greater management of females. Furthermore, by limiting the season mainly to female deer and antlerless red deer, there is no attraction for trophy hunters.

I was taken by the point that Senator Coghlan made to me when I recently visited Killarney, that we do not want to see people popping off at deer simply in order to have an antlered trophy. For practical reasons regarding enforcement of the hunting licences, antlerless male red deer are being included in the open season for Kerry alongside red deer hinds, because we know there is a difficulty in distinguishing the antlerless deer from the hinds.

The following changes to the wild deer open season have been made. Female and antlerless sika, fallow and red deer can be hunted throughout the State, without exception, from 1 November 2005 to 28 February 2006. Male sika and fallow deer can be hunted throughout the State from 1 September 2005 to 31 December 2005. Male red deer can be hunted throughout the State exclusive of the county of Kerry from 1 September 2005 to 31 December 2005. It will continue to be illegal to hunt antlered male red deer in County Kerry over one year of age.

I assure the Senator and the House that the open season dates will continue to be reviewed on an annual basis in my Department taking account of the conservation needs of each species. Senator Coghlan is concerned about the dangers of hunters in the park and I can understand that. With regard to Killarney National Park, in which hunting is prohibited at all times of the year, deer culling is conducted by experienced, trained and licensed park personnel only. The current policy of not issuing hunting licences to third parties for Killarney National Park will continue and I am sure the Senator will take some assurance from that.

On average, approximately 150 sika deer and 50 to 60 red deer per year have been removed by park personnel, including in areas adjoining the national park, such as farm lands and on Killarney golf course. Many of these were sick, old or lived alone rather than with a herd. Their removal is an important element of the ecological management of the national park. We all know that in the natural state, predators would take down such individual animals.

Within Killarney National Park, extensive counting of deer species by staff of the National Parks and Wildlife Service has taken place since the 1970s and details of those figures have recently been provided to the Senator. I will ensure that the Senator gets a full, detailed breakdown. I recommend to the Senator that those concerned about the future of red deer should continue to keep in close contact with the regional management of the National Parks and Wildlife Service. The service has great experience and expertise in dealing with the conservation and management of wild deer, and especially the red deer of Kerry, which are a vital part of our natural heritage.

I am aware that the Senator has expressed concerns previously about issues outside the park, in particular the 100 km/h speed limit on the Kenmare Road, and has requested that the number of deer warning signs be increased. The responsibility for these matters rests with the local authority concerned rather than with my Department. However, the National Parks and Wildlife Service has brought the Senator's concerns to the attention of the local authority and has asked that his suggestions be favourably considered.

**Mr. Coghlan:** I thank the Minister for his courtesy and for considering the concerns I expressed when the matter arose in May and also on his visit to Killarney. I accept what he says about the licensed park personnel being the only people allowed to cull deer in Killarney national park. We are at one on that.

I also accept his assurance about trophy hunters and antlered male deer. We know that during the rutting period, which is currently in progress, some male antlered deer will unfortunately lose their lives, but I would be concerned about shooting deer which have merely lost their antlers through their present natural activity. Perhaps the Minister might consult his personnel in the area. I accept he has some very experienced people in the National Parks and Wildlife Service and I would be loath to go against their advice, but the Minister might keep the matter under review. With regard to the future of tourism, the people of Kerry and Killarney would perhaps prefer that the sika deer be removed from the national park.

**Mr. Roche:** I am aware of the Senator's concerns and believe we are *ad idem* on the issue of trophy-hunting, something I do not want to see. The culling and the allowed hunting are meant to keep all the species in check. There has been something of an explosion in the red deer population in the area. We do not have wolves or other predators in Kerry. It will continue to be the case that deer will be dealt with only by licensed park personnel. Licences will not be issued for hunting

in the park for the very reasons the Senator has outlined.

If I may mangle the words of Oscar Wilde, one of whose characters described the loss of one parent as being a tragedy, but the loss of both being carelessness, I am not sure how many of the large deer in Kerry national park lose both parents in the rutting season. I know it involves a very vigorous activity for the deer. However, no hunting currently takes place there.

**Mr. Coghlan:** Mar fhocal scoir, I would like to have a definitive number for the red deer population.

**An Leas-Chathaoirleach:** I welcome Eoin Cronin and his group to the Visitors Gallery.

### Water and Sewerage Schemes.

**Mr. Brennan:** I welcome the Minister to the House. In October 2004 I welcomed the Water Services Investment Programme 2004-2006 involving a total investment of €5 billion, with the allocation to Limerick being €142 million. On that occasion the Minister painted a very positive picture in so far as the sewerage schemes were concerned for Adare and Patrickswell. He confirmed at that time that the necessary finance was available under the said programme.

I now ask for an update on the contract documents, the public-private partnership or PPP applicability and the issue of procurement. The scheme has been examined by Limerick Council and a report prepared and submitted to the Department of the Environment, Heritage and Local Government in July 2005. This recommended that both civil and mechanical, and electrical elements of the project may be procured through traditional procurement routes rather than a design build operate route, a DBO. That would allow arrangements for a public-private partnership. While a response is awaited from the Department in respect of the PPP report, it is anticipated that the draft documents could be ready for submission to the Department early in 2006.

The construction aspect will depend on the Department's approval for allocation of funding, and the level of contribution from Limerick County Council. The development plans in Adare and Patrickswell are greatly dependent on the proposed infrastructure. Many planning applications for hotels and housing development have been granted by Limerick County Council, subject to the availability of the necessary water and sewerage infrastructure. Indeed, discussions have taken place with Limerick County Council about the possibility of providing a private hospital in that location.

The provision of this infrastructure is dependent on the Minister. I ask him to use his good

offices, together with Limerick County Council, to secure the provision of the infrastructure at the earliest possible time. I am not seeking that it should be left to private operators to dictate what development takes place on the lands and roads in each area but that the proper development, as set out in the development plans and with Limerick County Council working under a PPP if necessary, take place in the interest of the communities and the proper development of the area. Perhaps the Minister will examine this.

**Mr. Roche:** Senator Brennan has shown huge personal interest in this matter. The fact that so much progress is being made is due, in no small way, to the fact that he has a charming way of nagging the Minister of the day to ensure that progress is made in an area that is important to him.

My Department's Water Services Investment Programme 2004-2006, which was published in May 2004, includes funding for more than 20 schemes in Limerick. Atlea, Askeaton, Foynes, Shanagolden, Glin, Kilmallock, Dromcollogher, Hospital, Pallasgreen and Bruff are some of them. The county can look forward to a significant improvement in sewerage services. Many areas will also benefit from improved water supplies from the upgrade planned for the Clareville water treatment plant, improvements to the Shannon estuary water supply scheme and extensions of the Limerick county trunk water mains. There is a significant amount of work being done on water and sewerage services in Limerick and almost €143 million has been allocated under the programme for those services.

With regard to Adare and Patrickswell, a sewerage scheme to serve both areas is approved for construction in the water services investment programme at a cost of almost €9 million. The two locations have been combined into a single project to avail of the economic benefits offered by the completion of the Limerick main drainage treatment plant at Bunlickey. Pumping effluent from both locations to Bunlickey will avoid the more costly option of either upgrading the present obsolete treatment plants or constructing new replacements. It means less running costs for Limerick County Council in the long term. That is a significant consideration because high tech plants are costly for councils.

Limerick County Council received approval from my Department early this year to appoint engineering consultants to prepare contract documents for the scheme. The consultants are now working on the contract documents and the council has invited tenders for site investigations. The results of these investigations are an essential component of the contract documents on which contractors base their prices for the construction of the scheme.

[Mr. Roche.]

The scheme is needed to facilitate development in both areas. Some developers have recently been in contact with the county council with proposals which they consider would help to advance the works more quickly. It would be a matter for the council, taking into account public procurement rules and value for money issues, to decide on the merits of such proposals and, if it decides to proceed with them, to submit the details to my Department for approval. The Department would not stand in the way of any approach which would help to expedite the scheme, subject to the necessary safeguards of protecting the public interest and the taxpayers' investment.

I have listened carefully to the Senator and he has been in contact with me privately about this matter. When contract documents are submitted to my Department for approval they will be given early attention. The necessary funding has been allocated for the scheme in the Department's water services investment programme. As we approach the time when I will meet my colleague, the Minister for Finance, to look for money, I am as anxious as the Senator to see approval being given to the council to invite tenders and for the work on the scheme to start to ensure the citizens of Limerick have modern sewerage and water services.

**Mr. Brennan:** I thank the Minister for his positive response. I look forward to working in co-operation with Limerick County Council to secure a solution.

### **Sport and Recreational Development.**

**Ms Terry:** A few months ago I asked the Minister for Arts, Sport and Tourism about his plans for Abbotstown. I received a reply some time later stating that initial plans had been drawn up and that they would be brought to Government. However, something has gone wrong since then. According to media reports, the plans have now been shelved or scrapped. I hope the Minister will be able to throw some light on this and explain what has happened.

I live in the area of Abbotstown and there was great concern when the stadium was proposed for the area. The proposal was rejected by the local people because of the lack of proper public transport infrastructure in the area. This land has been in State ownership for many years. The Government has taken steps to move the State Laboratory from the site. I am not sure how much work is being done on the State farms anymore, although there is still some work taking place. The land is extremely valuable but the people of Blanchardstown and surrounding areas have always believed it would be used to provide a national park.

The plans suggested by the Minister were well received by the population of Dublin 15. These plans were for sports facilities and headquarters for national sporting organisations. There has been huge investment in the National Aquatic Centre, which also has problems but I will not discuss them today. The Abbotstown site was to be used to provide sporting facilities to cater for our athletes who wish to train at a high level. Indeed, we are sadly lacking in facilities for people who wish to train for participation in the Olympics. The Minister said previously that the facilities at Abbotstown would be available to athletes who will participate in the London Olympics. It was believed Ireland would have a part to play in the event through providing those facilities. This site, therefore, was to be of benefit both locally and nationally. We need such national facilities for our athletes.

I am concerned about any suggestion that these plans have been scrapped. If they are scrapped, why is that so? Does the Government have another plan for the lands at Abbotstown? Suggestions that any of the land should be sold for housing will be met with enormous resistance. I am not sure if the Minister is familiar with the Blanchardstown area but it has absorbed a huge amount of development. It is built to over-capacity given the infrastructure. The area has absorbed its fair share. The land at Abbotstown has always been earmarked. It was understood that when it ceased to be used by the State Laboratory and farm, it would come into public ownership in terms of providing local and national facilities. I hope the Minister will throw some light on this issue.

**Mr. Roche:** I acknowledge the positive interest Senator Terry has always had in this matter. Sadly, the development of Abbotstown became a political football, if I may mix metaphors, last year. Serious damage was done to the public interest. I am not a sports person, I must admit, but I believe that sport plays a vital part in the life of a nation. Traditionally we have not looked favourably on this area, nor have we made appropriate provision, but I will be providing Senator Terry with some assurances in my response. The Minister for Arts, Sport and Tourism, Deputy O'Donoghue, has asked me to apologise on his behalf for his inability to attend today.

An ESRI report was launched yesterday which identified the main social aspects and advantages of sport in Ireland. These aspects did not inform any part of what I believe was a very crude and ill-informed political debate that raged about Abbotstown. The ESRI report stated that the economic value of sport is €1.4 billion per annum. In this context, Exchequer support of €611 million for sport over the past seven years can be seen as a worthwhile investment. The annual

3 o'clock

sports budget has been increased dramatically in the last seven years. It was only €17 million in 1997, which strikes me as an extraordinarily low base, but it has now risen to €130 million in 2005. By the end of 2005, Government spending on sport since 1997 will total €740 million. This Government intends to continue to target funds at strategically identified sports facilities appropriate to a nation at the economic level of development which Ireland now, thankfully, enjoys.

There is a compelling business case to be made for the development of sports facility at Abbotstown. In fact, the case was always there but the issue was subject to a rather crude political debate. Such a development would increase participation in sport at all levels from the passive amateur to the high-performance athlete. This would have beneficial effects on the health of the nation and help to address many social problems. Among many other benefits, the sports campus could generate substantial tourism revenue. In fact, Senator Terry spoke of the London Olympics in 2012 with this very point in mind. The campus will not only generate revenue, but will also involve the building of high-class, international standard sports training facilities which can contribute to social and economic regeneration. In this context, I am well aware of the burden being carried by Dublin 15 in general and Abbotstown in particular.

Investment in sport yields multiple returns in terms of improved health for the individual, less demand on health services by those of middle and older age, reduced anti-social behaviour among young people, economic regeneration and improved employment opportunities. Sport contributes to community regeneration. There is nothing that binds a community together better than sport. It also contributes to personal development, increased community safety, increased voluntary involvement and healthier lifestyles. Young people benefit from sports facilities, which also enhance their education. Sport also improves the local economy through employment and sport tourism and benefits the environment.

As Senators are aware, the Government decided in 2004 to proceed with the phased development, as financial resources permit, of a sports campus on the State-owned lands at Abbotstown. Campus and Stadium Ireland Development Limited, CSID, was requested to put forward proposals. With the assistance of project managers Davis Langdon PKS and sports consultants Holohan Group, CSID prepared a development control plan. Wide-ranging consultations took place with the Irish Sports Council, the Olympic Council of Ireland, the major governing bodies of sport and other key stakeholders and interest groups, to identify the requirements for facilities. Meetings also took place between

CSID and Fingal County Council, which was completing its county development plan for 2005 to 2011.

During the consultation process it became clear that there is need to develop, at national level, top class sports facilities to cater, in a dedicated way, for elite professional and amateur sports people. At the same time, there is a need to provide a wide range of facilities which would be available to the national governing bodies of sport and to the local community for individual and community related sports. On that basis, a proposal was prepared, as phase one of the programme, which would provide pitches and facilities for the three major field sports rugby, soccer and Gaelic games, including shared core facilities such as accommodation and a gymnasium. This phase also includes indoor sports halls to cater for a range of indoor sports with spectator accommodation and publicly accessible all-weather floodlit synthetic pitches. Over 30 sports can be accommodated in the proposed indoor sports centre, including hockey, hurling, tennis, gymnastics, badminton, basketball, martial arts, bowls and boxing. It has been estimated that this first phase of the programme will cost €119 million — although one is always wary of giving hostages to fortune by providing specific figures — and has a four to five year delivery schedule.

Other developments, including an arena and headquarters for major governing bodies of sport have been left for consideration in future phases of the development. A number of buildings remain on the site at Abbotstown, which have been surveyed and can be cost-effectively refurbished and developed for alternative use. When the campus project proceeds, as it will, consideration can be given to the use of these buildings as headquarters for national sports organisations.

The Minister has received the development control plan for the sports campus at Abbotstown from CSID. The Government had an initial discussion on the proposals last month. The allocation of the necessary funding to enable the project to get underway will be considered in the context of the multi-annual capital envelope for the Department of Arts, Sport and Tourism, which will be agreed prior to the budget.

Again, I thank Senator Terry for her very positive support for the project.

**Ms Terry:** I thank the Minister for his response and I am glad to learn that many aspects of the campus project will go ahead. However, the one thing that is missing from the Minister's response is a date. I am also not convinced that there is a strong commitment to obtain funding in the budget. Is there a possibility that the campus project will not get funding this year, which would delay the entire project? While we have a five-year delivery schedule, we do not have any date for the turning of the sod and there is no strong

[Ms Terry.]

commitment to obtain the necessary funding in the budget. Will the campus project be competing with other projects?

**Mr. Roche:** The Senator will appreciate that I cannot predict the details of the Minister for Finance's budget, nor can any other Deputy or Minister who might come before this House. There is a commitment to this and the Minister for Arts, Sport and Tourism, Deputy O'Donoghue, has made a very valiant case for the project.

All of us in public life must deal responsibly with an issue like this and I agree with Senator Terry that Abbotstown is a worthy project. While I am not the world's most avid sports fan, I believe it is a development that will contribute hugely to the life of the nation. It ill behoves us, as was done when the proposal was first mooted, to spend our time destructively scoring political points. We should take the appropriate approach, as Senator Terry has done, and be supportive of the positive aspects of development. The Mini-

ster's personal and continuing support for the project cannot be questioned.

The question of what will be allocated to multi-annual budget envelopes will be resolved on an inter-ministerial basis between now and budget day. The Senator will appreciate that my job is to obtain as much money as possible in my Department's envelope and I know that the Minister, Deputy O'Donoghue, is doing the same, and doing it very well, for his Department.

**Ms Terry:** I thank the Minister again and wish to send back a message to the Minister for Arts, Sports and Tourism to let him know that I support him in what he is trying to do. I believe that Deputy O'Donoghue wants to go ahead with this project and I hope that his colleagues in Cabinet will support him and that funding will be provided in the budget.

**Mr. Roche:** Similar encouragement from other Members of Dáil Éireann would be helpful.

The Seanad adjourned at 3.10 p.m. until 2.30 p.m. on Tuesday, 11 October 2005.