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**Wednesday,
19 October 2005**

DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

TU AIRISC OIFIGIÚIL—*Neamhcheartaithe*
(OFFICIAL REPORT—*Unrevised*)

Wednesday, 19 October 2005.

[illegible]

SEANAD ÉIREANN

*Dé Céadaoin, 19 Deireadh Fómhair 2005.
Wednesday, 19 October 2005.*

Chuaigh an Leas-Chathaoirleach i gceannas ar 2.30 p.m.

*Paidir.
Prayer.*

Business of Seanad.

An Leas-Chathaoirleach: I have notice from Senator Finucane that, on the motion for the Adjournment of the House today, he proposes to raise the following matter:

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

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

The need for the Minister for the Environment, Heritage and Local Government to outline the situation regarding the aggressive plant disease *Phytophthora Ramorum*, known as sudden oak death, which has the potential to devastate Ireland's oldest remaining oak woods at Derrycunihy and Tomies and which at Torc and Ross Island has already infected 25 *Rhododendron Ponticum* bushes.

Mr. Finucane: Amen.

An Leas-Chathaoirleach: I have also received notice from Senator O'Toole of the following matter:

Recognising the importance of the Owenmore Fishery, Clahane, County Kerry, the need for the Minister for Arts, Sport and Tourism to offer his support and to make every possible effort to grant aid the development of fishing beats along the lakes and river and the need to buy out the fishing rights and return them to the care and ownership of the community.

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

The need for the Minister for Health and Children to indicate the steps that are being undertaken to honour her commitment made

in July 2005 to provide additional capital funding to St. Luke's Hospital, Kilkenny.

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 on the 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 as a whole.

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

The need for the Minister for Transport in light of the appalling conditions experienced daily by commuters, to indicate when the Irish Rail plan, which includes the Spencer Dock station, inter-connector and spur to Dunboyne, will be funded and commenced.

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

The need for the Minister for Arts, Sport and Tourism to prepare an all-party and inclusive approach for the planning of the centenary of the 1916 Rising.

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

Order of Business.

Ms O'Rourke: The Order of Business is No. 1, statements on the report of the Joint Committee on Communications, Marine and Natural Resource on salmon drift netting and angling, to be taken on the conclusion of the Order of Business and to conclude not later than 5 p.m., with the contributions of spokespersons not to exceed 12 minutes and those of all other Senators not to exceed eight minutes. Members may share time and the Minister is to be called upon to reply no later than five minutes before the conclusion of the statements; and No. 19, motion No. 25, to be taken from 5 p.m. until 7 p.m.

Mr. B. Hayes: I move the following amendment to the Order of Business:

"That on the conclusion of No. 1, statements be taken on Monaghan hospital and related issues."

We would be in dereliction of our duty if we did not find an opportunity on today's Order of Business to debate the very serious and tragic issues

[Mr. B. Hayes.]

that surround the death last week of Mr. Patrick Walsh in County Monaghan.

At the outset I wish to extend our sympathy to his family concerning the tragedy that took place in Monaghan General Hospital last week. We need a statement on the issue today from the Tánaiste and Minister for Health and Children.

While we have all been aware for some time of very serious issues in the Cavan-Monaghan region and what would appear to be operational difficulties in terms of the health service, there are specific issues relating to this case that need to be fully aired in the House. The first obvious issue is how it happened that the hospital authorities in Monaghan, who were looking for an acute bed in the nearest hospitals to which to transfer a man who was bleeding to death, were told there were no beds available when we discovered only this week that two such acute beds were available, one in Cavan and the other in Drogheda.

There are other issues around this case. There is the fact, which has not been denied by either the HSE or the Government to date, that earlier this year a surgeon in Monaghan General Hospital who took part in an emergency surgery was subsequently chastised by the HSE for doing so. We need to debate the issue concerning the protocol in place and the way in which the community and region in question are served by the health services.

While it is important to decouple politics from medicine in this instance, we also need political accountability. We need the HSE and the Department of Health and Children to ensure, through its Minister, that all these issues are debated in full. When we supported the establishment of the HSE we did not mean to remove politics from the very important debates that surround this issue. We need to debate this matter today. I ask the Leader of the House to try in the best way possible to accede to our request. I raised this matter with the Committee on Procedure and Privileges, CPP, some time ago. All groups should be entitled to change their Private Members' business on a Monday morning to ensure that such matters can be discussed in the House on the day they are raised. We must address this matter again with the CPP so I ask the Leader to accede to our request.

Ms O'Rourke: Does Senator Brian Hayes mean that the matter should be discussed during Private Members' business?

Mr. B. Hayes: I suggest that we have a one-hour debate followed by Private Members' business. Instead of beginning Private Members' business at 5 p.m., we would start at 6 p.m. and consequently have the vote at 8 p.m.

Mr. O'Toole: It would be very useful to get a clear outline of the position regarding the proposal made by Senator Brian Hayes. Every politician has been asked questions about this issue. It is not my intention to try to apportion blame to anybody in a one-hour or two-hour debate but we, as public representatives with a general responsibility to the public, need information about it. This information should be obtained either today or tomorrow. I am quite happy if the Tánaiste and Minister for Health and Children cannot come to the House to discuss the matter until tomorrow but we need to address this issue. Senator Brian Hayes is correct in stating that it is a topical issue which people are discussing and which involves political responsibility. We need updated information about it and an opportunity to put our views about it on the record. I look forward to the Leader's response to my request.

Another issue that has been to the fore over the past week is the relationship between lawyers and the Residential Institutions Redress Board of Ireland. We debated the establishment of the Personal Injuries Assessment Board, PIAB, last year and members should recall the briefing they received from the Law Society and the Bar Council about how we could not trust the PIAB, of which I am vice-chairman, without lawyers. This House correctly took the position that we should offer people the opportunity to engage with the PIAB without recourse to lawyers. Increasing numbers of people are now doing so. The Leader raised a question regarding the PIAB in the House in May 2005. I said on that occasion that the annual report of the PIAB would be ready by now. The board has now processed approximately 500 cases and will make a presentation to the Joint Committee on Enterprise and Small Business tomorrow morning. Its annual report could be discussed by the House.

The PIAB was delivered by the political system and every party can claim some credit for it. Among those who had a major involvement in the creation of the board were former Deputy Ivan Yates, Deputy Pat Rabbitte, the Tánaiste when she was Minister for Enterprise and Employment and Deputy Martin when he was Minister for Health and Children. The PIAB has proved to be successful but we should remember the importance of the line we took about respecting the position of lawyers without being completely tied in to them. It also raises the issue, which we should discuss in the near future, of whether the regulation of lawyers is carried out appropriately and whether we need another form of regulation or an overarching body.

Mr. Ryan: I formally second the proposal made by Senator Brian Hayes for an amendment to the Order of Business. I ask the Leader for a debate on inequality in Ireland. The two issues that exercised Irish society for the past week both con-

cerned the abuse of the poor by the powerful and the neglect of the impoverished by those in a position to do something about their plight. If somebody in a private hospital was in the same situation as, tragically, Patrick Joseph Walsh was, a bed would have been found for him or her in an acute hospital.

Mr. B. Hayes: Hear, hear.

Mr. Ryan: If the people coming before the Residential Institutions Redress Board were not the least articulate and most wounded members of society, somebody would have taken the time to ensure they were not being misled about their fees. It is a bit rich for the board to now say that the Law Society should have sternly warned its members.

The board should have courageously advised the victims that all costs and expenses were being covered. It is astonishing the board never thought to make this explicitly clear to people and to say to them that if anybody tried to do anything else they should revert to the board and it would address the problem. I would have thought that was part of its work.

Both these cases make manifest the way in which in our affluent society there is still one state of law for the rich and another and much more vulnerable state of law for the poor, the vulnerable and the excluded. At this stage we need to talk about what we are going to do with affluence in Ireland. Are we going to allow 25% fall behind and 75% live in luxury?

I do not wish to outline the figures for acute hospital beds but there are only five countries in the world that have fewer acute hospital beds, two of which are Finland and Sweden and the others are Mexico, Turkey and the United States. We have been told there are enough acute hospital beds in Ireland. The real question is whether we are building a health service to emulate Finland and Sweden or Mexico, Turkey and the United States — one based on equality, the other based on manifest inequality. I urge the Leader at some time in the future, not today, to arrange a debate on the inequalities in Irish society. We have had one human tragedy and one appalling attempt to exploit the most vulnerable in society. In both cases to which I have referred institutional Ireland failed people. A system that was meant to manage the health service turned out to have no management. This raises the question of responsibility.

The chief executive of the Health Service Executive lectured politicians this morning. None of us is perfect. He said it would be better to focus on what is best for people's health. By talking about this case, that is precisely what the political system is doing. Were it not for the capacity of politicians to raise this issue, we would have to

wait eight weeks for any response to this awful tragedy.

An Leas-Chathaoirleach: A number of Senators have indicated a wish to contribute and I ask them to be brief.

Ms Feeney: I support speakers on the other side of the House who raised the untimely and unfortunate death of Mr. Patrick Walsh. It is time we knew the facts. Many untruths have been circulated and sometimes the untruths are more damaging than the facts. I was glad to hear Senator O'Toole say it is not a case of somebody coming in to the House because we seek to lay blame. It is most unfortunate this has happened but it is timely to debate the matter and hear the facts.

I ask the Leader to organise a debate on self-regulation of the legal profession as outlined by Senator O'Toole. I am on record as saying I am a firm believer in self-regulation for professions. However, it is timely that we looked at the legal profession in light of the appalling double charging by some firms of solicitors. They are not all guilty. They have overcharged vulnerable people whose life experience has been very negative as a result of what they have had to endure. The overcharging has been highlighted by Joe Duffy. I am one of those who knock the media when I consider they do not deserve credit but on this occasion I commend Joe Duffy on his radio programme for highlighting this terrible overcharging. It is time we looked at the issue of self-regulation——

An Leas-Chathaoirleach: Is the Deputy seeking a debate?

Ms Feeney: ——of the legal profession and particularly the charging structures in place therein.

Mr. Finucane: The death of Mr. Patrick Walsh has resonated throughout the country. Many people are extremely concerned at what has happened. They are concerned on the basis that the Health Service Executive now administers the system. By eliminating the various health boards we gave rise to the possibility of potential conflict between the Department of Health and Children and the Health Service Executive. People are concerned that those who take the Hippocratic oath in order to save a person's life were obliged to stand by in Monaghan General Hospital while Patrick Walsh died. Speaking on television his nephew sounded emotional and sincere. People are asking how this could happen in present times. While the report will not be published for another eight weeks, it is only right that we should raise the matter in the House, as it is a major talking point around the country.

[Mr. Finucane.]

I also call for a debate on education and in particular the problem of students as young as 14 years of age dropping out of the education system.

Mr. Glynn: The untimely death of Mr. Walsh is totally unacceptable. Questions need to be answered. He should not have died. By finding out the truth, hopefully this will not happen again. However, that is cold comfort to his relatives.

It was reported on this morning's news that the Garda has made another drugs seizure. Along with other Members of the House I am a member of the sub-committee on the high levels of suicide in Irish society of the Oireachtas Joint Committee on Health and Children. I am under no illusions as to the role of drugs in combination with alcohol in the huge incidence of suicide resulting in the deaths of young males.

Speaking of males, I am sure Members place priority on men's health. For a considerable time I have asked for a debate on men's health. I seriously impress on the House that such a debate should be held sooner rather than later. The high incidence of type 2 diabetes is ravaging the country. Medical physicians and those working in health clinics can give frightening statistics. We need a debate on those two issues as a matter of urgency.

Mr. Norris: I raised the question of the redress board when the issue of fees first became public knowledge a week or two ago. I listened with interest to the spokesperson of the Law Society. He was very disingenuous as he gave the impression that this is a rare occurrence and is limited to a few cases involving the board. That is not the situation. The principle exists throughout the legal profession and I will give one example. Legal firms frequently draw a distinction between what they call solicitor and client costs on the one hand and court-awarded costs. They abstract the difference. This means the legal firms second-guess what the court believes is the appropriate fee to be paid and they charge their individual clients a greater amount. This is endemic throughout the legal profession and needs to be examined.

I ask for a debate as soon as possible, within the next week, on the proposed metro for Dublin. The Leader played a very significant role in this area, both as Minister for Public Enterprise and in facilitating debate. I understand that a major investment programme in transport infrastructure will be announced in the next week or two. It is very important for us to debate it now and give the matter a very vigorous push to ensure that at least the initial phase of investment in the only system that will really address the traffic issue in Dublin is implemented.

I ask the Leader to ascertain from the relevant Minister why we have not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. I attended a Law Society conference on Saturday at which the United Nations chairperson of the committee dealing with the issue, Prasad Kariyawasam, said it was extraordinary that of all the states that had promoted the convention, none of the labour receiving states, including Ireland, which supported it, has signed or ratified it. We are entitled to an answer as to why the convention has not been ratified. I have tried to raise a matter many times in the House, namely the appalling decision by An Bord Pleanála to grant retention to a sawmill development at Leap Castle. Every time I tried to raise this matter I was stymied because I was informed the case was *sub judice* and this, that and the other. A landmark decision has been given by An Bord Pleanála which undermines the whole credibility of the planning process. Just like the north-side planning permissions, it is a case of doing what one wants, using one's influence, pleading an employment factor and breaking the guarantees given under the terms of the Environmental Protection Agency. Dangerous substances such as chromium 6 are used, the air is polluted, extensive visual damage is created and the reward is this decision by An Bord Pleanála.

An Leas-Chathaoirleach: I remind Senator Norris the debate is not being held today.

Mr. Norris: I ask for a debate on the planning system. I refer to the last sentence from the statement by An Taisce. I am aware that An Taisce is not universally popular in this House——

(Interruptions).

Mr. Norris: I am very proud to be a member of An Taisce. Every Member of this House should be a member——

Ms White: I too am a member.

Mr. Norris: ——and they would be able to influence the direction it takes because that is the way democracy works.

An Taisce stated that the unauthorised Standish development was seen as a national test case of the credibility of the Irish planning system. An Bord Pleanála has sent out the worst possible national signal that unauthorised development will be rewarded in the end.

Mr. Leyden: I wish to join in the expressions of sympathy from Members of the Oireachtas to the Walsh family on the death of Patrick Walsh in Monaghan. It would be right to have a debate in the House on the matter. I am concerned by the statements made by Professor Drumm as referred

to by Senator Ryan because it seems he is trying to resurrect the Hanly report. He should not use the Monaghan situation and I do not wish to be associated with the Hanly report. I said from the outset that it would be the death knell of small hospitals. The situation in Monaghan should not be used in an attempt to rationalise hospitals outside Government policy. Professor Drumm should adhere to Government policy and not create policy.

Mr. Finucane: What is Government policy?

Mr. McCarthy: I wish to raise the case of Olivia Agbonlahor, the Nigerian lady who was residing in The Lodge in Clonakilty and who was collected by gardaí from Bandon Garda station yesterday morning. The Minister has now intervened to halt her deportation. She and her journalist husband fled Nigeria because he wrote about the activities of local drug dealers. She sought refuge in this country. She has four-year old twins, Melissa and Great but Great is autistic. This State must reach out to that young boy who needs its help and support. In 2005 it should not be necessary to send the Garda Síochána into lodgings to grasp four-year old twins from the environment to which they have become accustomed. This is a disgrace. I acknowledge the intervention of the Minister for Justice, Equality and Law Reform. I appeal to the Leader to ask the Minister to be guided by his heart and think of the welfare and health of a four-year old autistic boy in his consideration of this case.

On another matter, the current Garda recruitment campaign concludes today. It is the first Garda recruitment campaign open to non-nationals. I am perplexed that applicants must first be registered with *publicjobs.ie* in order to apply for the positions and would need access to a computer which may not always be possible. I verified today at 2 p.m. that an applicant must register with *publicjobs.ie* and must have access to a computer as hard copy applications will not be accepted. The current campaign has a clear objective of recruiting non-nationals but this procedure will prevent full advantage being taken of the recruitment process which is a concern given that we want to reach out to non-national communities.

Dr. Mansergh: I would like the Tánaiste and Minister for Health and Children, the HSE and the medical unions to make it clear that where a person is in imminent danger of death, a doctor or a health institution has not merely a right but an obligation to intervene.

The good samaritan did not ask what rules he was breaking when he helped someone by the roadside. Nor did he check whether his insurance was in order. It is all very well to talk about catch-

ment areas but one must also consider the distances between populations and hospitals when one is judging where facilities should be placed.

On the point of distance, perhaps the Minister for Justice, Equality and Law Reform can tell us why the inquiry into the Brian Rossiter case is taking place in Dublin rather than in Clonmel, where the incident happened.

Mr. B. Hayes: Hear, hear.

Dr. Mansergh: I am also shocked, as are many others, by the scale of legal fees involved, which means that we have a justice system that is virtually unaffordable for most people in this country. To hire a junior and senior counsel for one day costs the best part of 12 air fares to London. People refer to the market rate but since when was the market allowed within an ass's roar of our learned friends in the legal profession? There are people here who are zealous about the free market and competition and it is high time that these forces were applied to the legal profession so that we can all have reasonable access to the law, rather than it being a stomping ground for millionaires and corporate interests.

Mr. Norris: Hear, hear. Well said, Senator.

Ms Terry: I support Senator Mansergh in asking why the Rossiter case is not being heard in Clonmel, which would facilitate the family. After all, they are at the heart of this hearing and should be accommodated. With reference to the costs, anyone who can earn €1,000 per day should be very happy to be in that position. I hope that the Rossiter family will be able to engage someone who is very good and who is willing to represent them for €1,000 per day, but no more than that.

Yesterday I attended the launch of a report by the End Child Poverty coalition in the Mansion House. Some very startling figures were presented on the numbers of children living in poverty here and some frightening stories were also related. We are all aware of children who are at risk of poverty. I call for a debate on this issue because at a time when our economy is doing so well, we should not have families of four living in one-bedroom bed and breakfast accommodation for up to two years.

The End Child Poverty coalition has asked that the child benefit issue be addressed in the forthcoming budget. Child benefit did not reach its maximum level last year, as the Government had promised it would. The Government promised that child benefit would reach €200 by 2003. That has not happened to date but perhaps it will happen this year. The coalition has asked that, in light of the failure to reach the promised level, the balance be index-linked so whatever people have lost out on over the last number of years

[Ms Terry.]

will be made up. That would help, in a small way, to address the poverty that exists.

Mr. O'Brien: I join with others in asking the Leader to invite the Tánaiste and Minister for Health and Children, Deputy Harney, to come to this House at her earliest convenience to debate the serious incident in Monaghan General Hospital. I would like ——

Mr. Ryan: Is there a Fianna Fáil assault on the Progressive Democrats going on here?

An Leas-Chathaoirleach: Senator O'Brien, without interruption please.

Mr. Ryan: All we have been hearing about is Progressive Democrat Ministers and their sins. There are 14 other Ministers, some of whom are passionate pro-marketeers——

Mr. Dardis: I am glad I am not one of those.

Mr. O'Brien: I express my sincere sympathy to the Walsh family on the death of Mr. Patrick Joseph Walsh. It is very sad, particularly after the numerous sad events at Monaghan General Hospital, that another death has taken place there, a death that could have been prevented. Watched by his nephew, this man bled to death for seven hours. Expertise in the hospital could have saved the man's life. The hospital is not on-call and the staff are not insured to perform the operation that would have saved this man's life, which is wrong. This is going on in Monaghan General Hospital for a long time. There have been a number of deaths as a result of the hospital not being on-call and not providing accident and emergency services.

Senator Wilson and I have called for these services on many occasions. We made representations to the present and previous Minister for Health and Children, and the situation is still no better. This is another death which could have been avoided. The Walsh family and their circle of friends are rightly very hurt and sore as a result of the death of their good friend, Patrick Walsh.

I am asking for Monaghan General Hospital to be put back on-call. The emergency services required to save lives should be immediately restored to the hospital. We cannot wait even eight weeks for the result of an inquiry to see exactly what occurred to cause the death of Mr. Walsh. It is very unfortunate.

Mr. Coonan: I wish to ask the Leader and the Minister how many more tragedies we must witness and how many more lives must be lost before someone on that side of the House is prepared to take responsibility and ask who is running the health service. What is happening in this

country and how long more will it be allowed to continue? I could recount another tragic incident but I will not do so today; I will do so at a later date.

I ask the Leader to take the matter up with the Minister. Who does one contact in the health service? Eight weeks ago, a networks manager was appointed for the mid-west region to manage hospitals. That man does not have a job today because he was told that the service is now being administered from Galway. No one knows who to contact. Perhaps Government Members know. A distinguished former executive of the former Mid-Western Health Board, who is employed by the Health Service Executive, does not know what is his role. That is scandalous. Members can contact him and ask him about this. It hurts me to hear people like Senator Mansergh lecturing about what should or should not happen. One would think it was his first day in Government. He is here for a number of years.

An Leas-Chathaoirleach: The Senator supported the call for a debate.

Dr. Mansergh: The situation must be put forward.

Mr. Coonan: I put it to the Leader that someone should take responsibility for what is happening in the country, which is a scandal.

Mr. Wilson: I join with my colleague, Senator O'Brien, and other speakers in raising the ongoing difficulties in Monaghan General Hospital, in particular, the recent sad death at the hospital of Mr. Patrick Walsh. As my colleague outlined, on previous occasions both he and I raised issues regarding the surgical services and other services at Monaghan hospital. The people of the catchment area are provided with adequate and efficient medical services by Cavan General Hospital and Monaghan General Hospital.

I call on the Tánaiste and Minister for Health and Children to come to the House to debate these difficulties, particularly the situation regarding Monaghan General Hospital. I am not a medical professional but my understanding is Mr. Walsh should not have died. I welcome the inquiry launched by the Minister into his death. An eminent senior consultant from Northern Ireland will carry out the investigation. I regret it will take eight weeks but if results are achieved following the investigation and no more innocent people suffer because of bureaucracy, I am willing to wait.

Mr. Bannon: I support the amendment to the Order of Business proposed by Senator Brian Hayes and I sincerely hope Senators O'Brien and Wilson will vote for it. It is important that they should in the interest not only of the people of

Monaghan but also the people of the entire State. It is scandalous that the Tánaiste and Minister for Health and Children has permitted new theatres and top quality services to go under-utilised throughout the State. It was heartbreaking for Mr. Walsh's family to discover beds were available nearby in Cavan hospital, about which the Minister informed us yesterday. She has allowed health services to collapse since she took over the portfolio more than a year ago.

It is disgraceful and disgusting to hear the insults thrown by Government members. The Minister for Communications, Marine and Natural Resources stated last week that the €150 million wasted on the PPARS project and the €3 million wasted on a website that never existed were only a drop in the ocean.

Ms Feeney: The Senator should read the entire report on the PPARS project.

An Leas-Chathaoirleach: Is the Senator supporting the call for a debate?

Mr. Bannon: Those sums would provide significant support to the health service if they were properly allocated. Beds, community care facilities and so on could be provided. What the Government is doing is shameful. I support the amendment to the order of Business. It is important that the House should debate this issue this evening. We cannot wait eight weeks for a report on this because the people want answers now.

Ms Ormonde: I support the contributions of many speakers on the tragedy involving Mr. Walsh. However, there is a hidden agenda behind many of the comments. The issue should not be debated until we know the facts. I support the call for a debate but it should not be held today or tomorrow because we will only talk around the subject. The case has been highlighted and many Senators have stated it is dreadful but I prefer to wait until the facts are established and then we can have a proper debate.

Mr. Bannon: We are waiting eight years for proper health services, which the Government has not delivered. The Government has let the people down.

Ms Ormonde: I do not want an untruth; I only want the facts. I am the first to say if something is wrong, it is wrong but I do not have the facts.

Mr. Bannon: We want services, not facts.

Ms Feeney: The Senator was a health board member.

Ms Ormonde: I support Senator Finucane's call for a debate on the drop-out rate of students aged

14 years of age in disadvantaged areas. This is a serious issue because it is too late to help these students if they drop out at that age. Their problems should be detected earlier, perhaps before they leave primary education. The Minister for Education and Science is aware of the problem but I call on the Leader to ask the Minister to come to the House to debate the issue.

Mr. Coghlan: I would like the Leader to respond on the status of the proposed transfer from the Dublin Airport Authority to Fáilte Ireland of the Great Southern Hotel group, which is believed to be nominally worth €100 million. Senior DAA executives have been in communication in the recent past with the Departments of Transport, Arts, Sport and Tourism and the Taoiseach.

Last March the chairman of the Dublin Airport Authority stated to the Joint Committee on Transport, of which the Leas-Chathaoirleach is a member, that the hotel group may cease trading in early 2006. The group is obviously anxious to concentrate on its core aviation business.

An Leas-Chathaoirleach: Is Senator Coghlan seeking a debate on the matter?

Mr. Coghlan: It is very important to have a response before the Leader goes to Killarney this weekend.

A Senator: Is Senator Coghlan taking the Leader out to dinner?

Mr. Coghlan: The red carpet will be rolled out for her. All Members would be most welcome; we need all the visitors we can get in Killarney. Despite reports to the contrary, the season has not been as good as we would have wished. The Leader knows how serious this is; she has appointed board members in the past and the matter is close to her heart.

An Leas-Chathaoirleach: I ask Senator Coghlan to conclude.

Mr. Coghlan: I want to hear from the Government side on the status of the proposed transfer.

An Leas-Chathaoirleach: Senator Coghlan will hear from the Leader.

Mr. Hanafin: Last week the Taoiseach spoke in this House for the second time in a short period. It is an honour when a Taoiseach or former Taoiseach speaks in this House and I commend the Leader on making the arrangements for the debate.

On this occasion the Taoiseach spoke on Europe and many issues arose from the debate. We should learn lessons from the debate on the proposed EU constitution and any further refer-

[Mr. Hanafin.]

enda should be well debated beforehand. Deleting references to God from that constitution was political correctness gone mad and a fundamental error. This is a matter to note for the future.

The Leader might consider a debate on accession countries in the future. Issues concerning Turkey were raised on a number of occasions during last week's debate. Looking east, Russia is part of the greater European plain. The Rivers Volga and Don are European rivers, the Urals are European mountains and Minsk, Kiev, St. Petersburg and Moscow are European cities.

An Leas-Chathaoirleach: Is the Senator seeking a debate on the European constitution?

Mr. Finucane: Is this a geography lesson?

Mr. Hanafin: Russia is a wonderful country and we seem to have the mindset of the Cold War. We should have first looked to the east. I welcome further debates in the House on the matter.

Mr. Cummins: I ask that the Minister for Justice, Equality and Law Reform be invited to the House to state if he is satisfied the Incorporated Law Society is the appropriate body to investigate solicitors in respect of overcharging on cases taken to the redress board. Does he intend to initiate an inquiry into the matter? Many solicitors are appalled that such practices occur and it is essential the Minister acts on this as a matter of urgency.

Seán Garland, an Irish citizen and president of the Worker's Party, was arrested in Northern Ireland and an attempt was made to extradite him to the United States.

An Leas-Chathaoirleach: It is not appropriate to refer to an individual in this manner. The Senator cannot refer to any citizen or individual who is not here to defend himself or herself.

Mr. Cummins: He is an Irish citizen and although I hold no brief for the Worker's Party, I am anxious that an Irish citizen of 71 years of age, in ill health, not be extradited until proper legal scrutiny of any legal warrant is effected.

Mr. B. Hayes: Hear, hear.

Mr. McCarthy: It is scandalous.

Ms Feeney: He is a friend of Mr. Adams. Perhaps we can have another tribunal.

Mr. Cummins: I ask the Minister to ensure this happens; we would ask the same for any Irish citizen in a similar situation.

Mr. McHugh: Last week the Leader acceded to a debate on road tragedies and road deaths. Has

there been any update on when this will happen? There is growing demand for such a debate in the House.

The following matter will be close to the heart of the Leas-Chathaoirleach as he is from the west of Ireland. I am delighted Senator Norris raised the issue of An Taisce's objections to An Bord Pleanála. We need a serious debate on An Bord Pleanála, an east coast representative group. There is a weight of opinion coming from professional fields such as town and urban planning, architectural planning and others. There is a lack of representation of Ireland west of the Shannon and a lack of representation of rural and community groups and economic forward planning in rural areas. It is vital that debate takes place because normally it is councillors, Senators and Deputies who shout about the inadequate decisions taken by An Bord Pleanála in the west. It is time we had a representative voice that can speak on behalf of the west because the west is different from the east. There are historical lineages in terms of the distribution of family settlement patterns but An Bord Pleanála is not voicing those concerns. I am pleased Senator Norris raised this issue. It is appropriate and timely because we need a debate on An Bord Pleanála.

Ms O'Rourke: Senator Brian Hayes, the Leader of the Opposition, raised the matter of the very sad death of the man in Monaghan hospital. I speak for all of us on the Government side of the House when I say that, as others do, we feel deeply for his family. I heard his sister speak on "Five Seven Live". There is no greater love than that of a sibling, and she spoke so movingly and with feeling about her brother's death. Senator Brian Hayes moved an amendment, seconded by Senator Ryan, to have statements on Monaghan hospital following the conclusion of No. 1 on today's Order Paper. Senator O'Toole, *inter alia*, suggested that statements be taken tomorrow if it is not possible to take them today. I am simply putting the requests in context.

The Tánaiste and Minister for Health and Children has agreed to a one-hour statement on the issue tomorrow. She has asked me, through her spokesperson, to make it clear that she may not be able to be here in person. She will endeavour to be here but, if not, an appropriate Minister will take the debate tomorrow. I can understand how business would be arranged already and I ask the House to accept the explanation that has been given on the issue.

I would also like to make it clear that whoever comes to the House for the debate, whether it is the Tánaiste or a representative of the Tánaiste, will not have the facts. Senator Bannon was very vociferous in demanding that the facts be given today or tomorrow but that cannot be done because a report has been ordered and that will take some weeks. What we will have is a general

debate on the circumstances that led to this man's untimely death but so that everybody is clear, the facts will not be given because the report has been ordered. When the report is produced the facts will come out and we will have a debate here on that. I simply make that point to Senators Brian Hayes and Ryan.

It has emerged that a bed was available for this man in hospitals in Cavan and Drogheda. We heard Professor Drumm this morning on the radio. I did not think his tone was lecturing; I thought he was clear and logical.

Mr. Norris: He was very good.

Ms O'Rourke: I do not agree that politicians should not have their say but this has nothing to do with the Mr. Walsh's untimely death. That should not have happened. As Senator Mansergh or some other Senator said, if one takes an oath to tend the sick or if one is at any level within the health service, one's endeavour is to save life and not wait for an order or a protocol about it. We cannot have a hospital, however, with all the necessary amenities in terms of infrastructure, both physical and human, in every small place. That is not possible and the patient is not well served if that is what comes out of this investigation.

We all endeavour to have the Hanly recommendations implemented. It would be to the good of all if these matters were clarified. We all agree that we should have centres of excellence but it is very difficult to have them if every area wants one. It is just not possible. That is not to take in any way from the sad death which has occurred; it is only a general comment. Senator O'Toole asked for information on Monaghan hospital and suggested the temporising measure of having statements tomorrow, which has been answered.

Regarding the Residential Institutions Redress Board and the Law Society, I remember a request that we have a debate after a year's activity. The legal profession has disgraced itself in this. Like everyone here, I count people in that profession among my closest personal friends. We discussed the matter informally over the weekend, and they feel as besmirched by what has happened as if they had been at it themselves, although they have not. The most dreadful aspect is that people at the end of their tether having gathered their courage to go before the board and tell their tales from long ago are being done as soon as they leave. Such disgraceful behaviour brings dishonour on all in the legal profession. I hope that crimes are investigated in this regard, since "thievery" is the proper term for taking money from someone in such a way, and I cannot understand why people should do it.

I join Senator Feeney in congratulating Joe Duffy on raising the issue. Mr. Duffy provides an

extraordinary and very useful valve for people, who feel comforted that they can telephone him and hear their issue debated. The Law Society has moved swiftly. I have spoken to two such individuals who received cheques through the post to return money taken from them. We do not know if that was everything, but it has happened. Senator Feeney also expressed her sympathy for the family of Mr. Patrick Walsh.

Senator Ryan expressed his willingness to second the amendment proposed by Senator Brian Hayes. He wants a general debate on inequality, pointing out very vividly that there have now been two attacks on people in society deemed to have been treated unfairly, those dealing with the Residential Institutions Redress Board and Mr. Walsh. I do not know who would take that debate; perhaps it would be the Minister for Justice, Equality and Law Reform, Deputy McDowell.

Mr. Ryan: He approves of inequality.

Ms O'Rourke: Self-regulation does not work, and certainly not in the hands of people able to worm their way out of everything through legal routes. I regret any impression that I am criticising those of a legal background in the Chamber. I speak in a general sense, and legal people themselves have been discomfited by what has happened.

Senator Finucane called for debates on the death of Mr. Walsh and the drop-out rate in education, which I thought was very high. I cannot believe that so many pupils do not go past primary level or drop out before their junior certificate examinations. Such a debate would be very useful.

Senator Glynn also expressed his sympathy for the family of Mr. Walsh. He would like the issue of drugs and alcohol as factors in male suicide to be debated together with men's health. I acknowledge that Senator Glynn has been asking for such a debate for some time. I have been seeking one lest he think I am running away with his big idea without doing anything with it. Something else always arises that is more of the moment, but I take his point.

Senator Norris also raised the issue regarding the Residential Institutions Redress Board and the legal profession. He wants a debate on the proposed metro for Dublin, immediately if possible. We will endeavour to have it next week.

Mr. Norris: That would be splendid, since the figures will be issued. We must push this issue.

Ms O'Rourke: I accept the Senator's point. He also asked why we have not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Regarding An Bord Pleanála, one

[Ms O'Rourke.]

cannot query its decision-making, which is semi-judicial. I have often felt frustrated at its decisions. I always tell clients not to go to An Bord Pleanála, since it is simply for those whose applications for houses have been turned down by their county council.

Senator Leyden also expressed his sympathy to the Walsh family. He also raised the Hanly report, on which we know his views. However, for the good of people and patients, excellence in certain quarters must be sought and acknowledged.

Senator McCarthy raised the case of the Nigerian asylum seeker, one of whose twin children is autistic. I join him in welcoming the decision of the Minister for Justice, Equality and Law Reform to halt her deportation. I also agree with Senator McCarthy that it is unacceptable that those who wish to apply to join the Garda must do so on-line. Potential recruits should be able to apply in the old-fashioned way as well as availing of modern technological means.

Senator Mansergh spoke of the responsibility of the Tánaiste and Minister for Health and Children, HSE and medical unions in safeguarding the welfare of patients. He made the point strongly that for those whose job it is to provide care to the ill, what has taken place at Monaghan General Hospital runs counter to their professional remit.

I agree with Senator Mansergh that the inquiry into the Brian Rossiter case should take place in Clonmel. I understand this incident is being investigated under the Dublin Police Act 1924. Perhaps this is the reason the inquiry is being held in Dublin but it would be far more seemly to have it in Clonmel. The rates lawyers get for a day's work force me to conclude that I chose the wrong profession in teaching.

Senator Terry supported Senator Mansergh in his call for the inquiry into the Rossiter case to take place in Clonmel. I will endeavour to accommodate her request for a debate on ending child poverty. However, I do not comprehend her demand for increases in child benefit, given that massive increases have already been granted. Perhaps we can discuss this matter further in private.

Senator O'Brien, a Monaghan man, spoke feelingly in expressing his sympathy for the family of Mr. Patrick Joseph Walsh. He observed that this was an avoidable death and called for Monaghan General Hospital to be put back on-call. Senator Coonan asked how many more tragedies must occur before the situation is rectified. He also observed that nobody knows who to contact in the HSE. However, I was pleased to receive a nice letter from a man informing me he is my local contact in the executive. I note Senator Wilson's call for the Tánaiste and Minister for Health and Children to come to the House to discuss the situation at Monaghan General Hospital.

Senator Bannon spoke of the collapse of health services throughout the country. He will have an opportunity to make his case during tomorrow's debate, although it may not be possible to accommodate all who wish to speak in the time allotted. Senator Ormonde spoke about the school drop-out rate in disadvantaged areas and asked that the Minister for Education and Science be invited to the House to discuss this. I will try to arrange such a debate.

I do not wish to share Senator Coghlan who has invited everybody to his hostelry in Kerry.

Mr. Coghlan: Everybody is most welcome.

Mr. Finucane: Especially councillors.

Ms O'Rourke: We have votes too.

Mr. Coghlan: Senator Finucane likes to discriminate.

Ms O'Rourke: As I understand it, the prospect of a transfer of the Great Southern Hotel group to Fáilte Ireland is a red herring that was floated in recent days.

Mr. Coghlan: It is more serious than that.

Ms O'Rourke: Before we all go to Killarney, we will endeavour to let Senator Coghlan know what we believe should happen to the hotel group.

Mr. Coghlan: The hotel workers want to know.

Ms O'Rourke: I will stay in the hotel, I have already booked it. Perhaps I will not be given any breakfast.

In the wake of the Taoiseach's visit to this House last week, Senator Hanafin calls for a further debate on the EU constitution, particularly in the context of further accession from the east. I share Senator Cummins's concerns on the question of whether the Law Society is the appropriate body to investigate solicitors in respect of overcharging on cases taken to the redress board. He also referred to a particular gentleman, a person about whom we are all somewhat doubtful.

I will try to accommodate Senator McHugh's request for a debate on reducing the number of motor accident fatalities.

Mr. B. Hayes: As the proposer of the amendment to today's Order of Business, I wish to respond. My purpose was to ensure the matter in question is debated. I withdraw my proposal in view of the Leader's generous response in allowing for such a debate tomorrow.

Amendment, by leave, withdrawn.

Ms O'Rourke: Details of the change in tomorrow's Order of Business will be circulated.

Order of Business agreed to.

Salmon Fisheries Report: Statements.

Ms O'Rourke: As a consequence of the delay arising from the robust nature of the debate during the Order of Business, particularly in respect of recent events at Monaghan General Hospital, there may be insufficient time to accommodate all Members who wish to speak on this matter. I will observe the debate and, if necessary, allow it to be resumed at another time rather than conclude today.

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I appreciate the opportunity to outline to the House the Government's policy on the national wild salmon resource and to comment on the findings of the report on salmon drift netting, draft netting and angling published by the Joint Committee on Communications, Marine and Natural Resources on Tuesday, 11 October. This is an important forum which allows us to have a fully informed debate on all the facts surrounding the wild salmon fishery and reflecting all perspectives, whether commercial, angling tourism and so on. It is appropriate that the debate should take place at this time.

I welcome the publication of the report and take this opportunity to again thank the joint committee, including Deputy O'Flynn and all the members, for its decision to conduct a review which has illuminated the various and wide-ranging issues surrounding the management of our important natural wild salmon resource. As part of this review, the committee held public hearings in April of this year. When addressing those hearings, I made the point that the management of this natural resource is rarely a simple and straightforward matter. I reiterated the Government's long-held view that our wild salmon stock is a national asset which must be conserved and protected, as well as being exploited as a resource on a shared and sustainable basis. I am pleased to note that the joint committee acknowledges the complexity of this issue and makes "... the unequivocal observation that its report must not be seen in terms of winners or losers and that the debate and focus of effort must be on the survival of the salmon species".

The inland fisheries sector, within which the salmon resource is managed, is characterised by a regionalised management structure with strong involvement by local interests in decision-making, complex issues of ownership, reliance on State funding and tensions between different stakeholders. Within the sector, however, there is general agreement that over-exploitation of salmon stocks poses a significant threat to the

long-term sustainability of this valuable resource. Salmon habitats and stocks are under threat from a variety of adverse, environmental and water quality pressures. It is against this backdrop that the development and advancement of effective strategies to protect habitats and stocks, which attract a broad degree of consensus among stakeholders, is therefore essential.

It is the Government's strong view that our wild salmon resource is a national asset that belongs equally to all sections of our community. In striving to conserve, protect and exploit this resource, a delicate exercise is necessary to balance the needs of coastal and rural communities which depend on fishing and recreational users, including tourists. With this in mind, the Government has accepted scientific advice that reductions in the overall fishing effort are required in order to sustain and rebuild salmon stocks nationwide. For this reason, current Government policy has been designed to bring spawning escapement up to the level of these scientifically advised conservation limits.

Since 1996, the Government has introduced a range of measures to reduce fishing efforts and improve the management, protection and conservation of salmon fisheries. It is important to note these measures because a perception seems to exist that the Government has not taken any action over the past years. As part of these measures, the central and regional fisheries boards operate the wild salmon and sea trout tagging scheme, which has reduced the total allowable commercial catch of salmon from 219,619 in 2001 to a proposed total allowable catch of 139,900 for the 2005 season. This represents a reduction of greater than 36% over a four-year period. I recognise, however, that we will not be confident that a sustainable management regime is in place until catches are fully aligned with scientific advice.

In this regard, the joint committee's report makes a number of key recommendations, including a move to single stock management of the salmon fishery over a three-year period within which a voluntary compensatory scheme for commercial salmon fishermen would apply. The committee recommends that such a scheme should be funded by the State, the European Union, identified beneficiaries such as tourism and angling interests and conservation groups. Some conservation groups are prepared to make significant contributions.

With regard to the recommendation for a move to single stock management, the committee recognises this would effectively mean a cessation of drift net fishing for salmon. However, the committee also recognises that a move to single stock management will take time, cannot be achieved without further scientific input and that a realistic plan needs to be devised to enable such a move. This is an important point as such a move will

[Mr. Gallagher.]

also require further infrastructural investment and planning. The impact of such a move will have to be fully examined and understood before it is introduced. We should not make knee-jerk reactions but must investigate the background to the matter.

Senators will be aware that I have already given a firm commitment to aligning the exploitation of salmon with scientific advice by 2007 and that I have asked the National Salmon Commission to advise me how best to achieve this target. While I remain to be convinced that a move to single stock management will necessarily mean an end to drift net fishing in all districts, I expect the commission to examine the issue of single stock management and to advise me in this regard.

In terms of compensation issues, I welcome the committee's acknowledgement that any compensatory schemes should largely be funded by those who would be the main economic beneficiaries if more salmon returned to rivers. Should the State or others pay for the transfer of resources between sectors? I welcome the joint committee's comment that "public monies spent must have, as a primary aim, ensuring the survival of the salmon species and that this precept must be regarded as more important than any economic gain to any sector that may accrue". This recommendation is consistent with my openness, since becoming Minister of State at the Department of Communications, Marine and Natural Resources, to any relevant proposals whereby stakeholders benefiting from reductions in commercial catches would engage in the first instance with licence holders and indicate a willingness to address any compensation issues that might arise.

As Senators will be aware, the National Salmon Commission is a statutory body established to assist and advise me on the conservation, management, protection and development of wild salmon and sea trout resources in Ireland. The commission, which includes representatives of the commercial salmon fishing and angling sectors and other relevant stakeholders, serves as the primary forum for the consideration of salmon conservation. I attach significant importance to the role of the commission in the management of this important natural resource.

The previous salmon commission played a significant role in advising my predecessors and me on the introduction of a number of important initiatives which resulted in considerable advancements being made in terms of policies for the management of commercial salmon fisheries and recreational angling. During the past three years, we have put in place a regime of increasingly constrained quotas and fishing efforts, a mechanism to manage this on a collective basis and, most importantly, a consensus on alignment

with scientific advice. These are not insignificant achievements.

Before the salmon commission was appointed, fish were largely caught at night in traditional nets, a method which put lives at risk. Of necessity, the fishing week was far longer. The introduction of monofilament nets was a significant improvement because small boats could then go more safely to sea during daylight hours. The fishing period has been reduced to four days per week over an eight-week season. While the season depends on weather, an extra day, known as a safety day, may be permitted in extenuating circumstances.

When we set the commercial salmon quotas for the 2005 season, I accepted the outgoing commission's recommendation and gave a commitment to align the exploitation of salmon at national and district level with scientific advice by 2007. The next two years will therefore be important to the management of wild fisheries. When I accepted the commission's figure of 139,900 fish earlier this year, a three-year strategy was already in place to achieve these levels. All stakeholders were involved with the National Salmon Commission. The advice presented to me, which took into consideration socio-economic factors and rural development, was no different to that given in the past. However, I have been vilified in terms of this issue for some reason. It would take a month to read every e-mail I received from Ireland and abroad on the matter.

I wish the House to know that the advice presented to me was a result of a three-year strategy. Partnership, which is the foundation stone of this country, was the basis for the arrangement by which stakeholders gave me their advice. Scientific advice was received and the methodology changed at the last minute. I am pleased, therefore, to have this opportunity to outline to Senators the facts of the case because, as all politicians are aware, perception can be quite dangerous.

The National Salmon Commission has a vital role to play in advising me on how best this alignment can be implemented and in bringing together the relevant stakeholders to ensure agreement on the measures to be adopted to aid the recovery of stocks. To assist in this task, I have provided specific terms of reference to the commission which require it to consider what conservation management mechanisms might be required to achieve the alignment by March 2007 and, in doing so, to propose how an objective balance among competing interests in the salmon fishery may be obtained within the framework of conservation and management mechanisms as necessary. The terms of reference require the commission to engage as appropriate in a proactive dialogue with all relevant stakeholders and to evaluate any proposals they may have taking

account of the conservation, management, protection, enhancement and development of the national salmon resource.

The commission must ensure that any recommendations that may be made in regard to any compensatory measure must be predicated on the basis that the State will not contribute to any funding that may be required for any measures that may be recommended, unless a public good is identified that is justified and, more importantly, quantified.

In addition to the Oireachtas joint committee report on salmon, I received a number of reports and papers in recent months relating to the wild salmon resource, which I welcome and which are relevant to the deliberations and work of the new commission under the terms of reference now in place. It was suggested to me in the other House that a national salmon commission be established comprising all the stakeholders but that I am the person who must make a decision on this matter. I have no difficulty in doing that when I get recommendations. It would be an insult to all those representing the various stakeholders if I were to make a decision without recourse to their recommendations or without giving them an opportunity to study all relevant policy documents and papers, not least the report from the Oireachtas joint committee, presented to them.

I refer to the publication, *Our Marine Salmon Fishery — Sustainable Vision for the Future*, released by the south-western commercial salmon fishermen's organisations and to separate proposals outlining a scheme for the retirement of the holders of drift net licences which I received in late July from the Stop Drift Nets Now campaign. I also refer to the recently published paper by Senator Dardis entitled *Saving Ireland's Salmon Resource: A New Policy Approach*.

I have asked the commission to ensure that all these documents are fully considered over the coming months. As an immediate first step, I have already asked the salmon commission, which held its first meeting on Tuesday of last week, to ensure that the committee's report receives priority in its consideration of how best the wild salmon resource may be managed, conserved and exploited on a shared and sustainable basis into the future having regard to Government policy.

Since taking up my ministerial appointment a little more than a year ago, I have reaffirmed not my policy but the Government's policy and belief that the current strategy of developing a sustainable commercial and recreational salmon fishery through aligning catches on the scientific advice holds out the strong prospect of a recovery of stocks and of a long-term sustainable fishery for both sectors. I am committed to the conservation of the wild salmon stock in order that in future the resource can provide the maximum contribution to the regional and national econ-

omy. In this regard, I will consider the health of the salmon resource and the socio-economic impact on the coastal and inland communities who depend on the resource for their livelihoods. Given the region from which I come and having represented the whole of the west coast for a number of years, I am well aware of the fact that no individual, crew or family can depend entirely on the income from this resource. Such income supplements the annual income of individuals, whether they be small farmers or those in receipt of social welfare benefits; it helps to put bread on the table and educate family members.

I will continue to be guided by the fundamental principle adopted, and adhered to, by my predecessors during the last three years, which is that the exploitation of salmon, by all fishing methods, should be progressively aligned on scientific advice. I have already stated that the Government remains fully committed to this principle as the only sustainable and defensible way forward for salmon management in Ireland.

I am sure that the Senators present also appreciate that drift netting or commercial fishing is not the only issue in this context. Many other factors, notably, pollution, poaching, global warming and interception at sea, to name but a few, affect our natural salmon resource. Seals are another factor that affect this resource, to which it is not popular to allude. No one can quantify the damage to this resource by seals. Notwithstanding that, I condemn outright the actions of some people in the south west last year in regard to seals. All these factors affect this resource. We cannot examine this issue in isolation. There are no simple, straightforward answers and an integrated approach to dealing with it must be taken.

I am pleased to have this opportunity to outline to the House the Government's thinking, view and policy on this matter. I want to find a balance to our approach. I fully appreciate the importance of the salmon resource to the commercial sector, angling, tourism and, more particularly, to our anglers. For every 100 salmon landed by rod, 95 of those are landed by our anglers. I was amazed by that statistic. It is important we know that. It is also important that I take note of the importance of angling and its tourism implications.

Mr. Finucane: I wish to share my time with Senator McHugh.

Acting Chairman (Mr. Cummins): That is agreed.

Mr. Finucane: I wish to first acknowledge the work of the Chairman of the committee, Deputy O'Flynn, the members of the sub-committee and of the committee in producing this report. It was a comprehensive exercise. In order to establish the findings, they examined 45 submissions and

[Mr. Finucane.]

met many interested parties. It is not the first report to be produced on the salmon resource.

I am concerned that the issue might be siphoned off to be dealt with by the salmon commission. References to 2007 and scientific advice permeated the Minister of State's contribution. I take it from those references that it will be 2007 before any conclusions will be reached on this issue.

The debate on this matter has raged for too long. The Minister of State praised himself on the achievement of a 34% reduction from 2001 until recent times in the total allowable salmon catch. However, he must recognise that during that period there has been a dramatic decrease in the number of salmon coming into our waters. If he ignored that phenomenon, we would be at the loss of a large number of salmon. Therefore, he had to agree to a reduction in the total allowable catch over a period. He should not praise himself unduly in that regard.

The blockade of Rosslare Harbour by scallop fishermen received much television coverage during the summer. As a result of the blockade a €45 million package was put in place over a period of four weeks to decommission the fleet in question. The package worked out at approximately €640,000 for each of the vessels decommissioned.

The cost of a buyout of drift net licence holders seems to feature in the debate on this issue. It was suggested it could cost €25 million, equating the cost to that incurred in another country, while the Minister of State said it could cost up to €75 million in certain circumstances. However, anglers and others interested in this area are saying that if it is possible to find €45 million to decommission the vessels under the package to which I referred, why it is not possible to quantify at this stage what it would cost to implement the type of recommendations and findings embodied in this report? The report drew two main conclusions that related to a set-aside over a period of time and a voluntary buyout. My father was a net fisherman for many years so I am familiar with the Shannon estuary. Approximately 86 licensed net fishermen operate in the Shannon estuary, most of whom would agree to a buyout and exit drift net fishing. This is because they have seen their income decline over a period of time, year after year, because of the number of salmon being caught. This situation is replicated in many areas around the country. If there is a willingness and enthusiasm to undertake a buyout, it will happen.

The former Minister, Senator Brendan Daly, will remember the past controversy regarding the rod men. The Minister of State is likely to be confronted with a protest by anglers in Killarney next weekend. Anglers have a certain amount of ammunition on the basis of this report and want

action. If there is a cohort of drift net fishermen who are prepared to accept the buyout, the Minister of State will be forced to do something about it. It is not necessary to wait until 2007, the year for which the next general election has been promised, or afterwards to take action. Action can be taken long before then.

A recent article in *Innsight*, the magazine of the Irish Hotels Federation, carried the heading "Is salmon drift netting harming tourism?". The article pointed out that salmon fishing is worth €55 million to the economy and that there was a decline in the number of anglers visiting Ireland from 54,000 in 1999 to 27,000 in 2004. A recent article in *Trout and Salmon*, which is circulated widely in the UK and considered the bible for many people involved in trout and salmon game fishing, described us as international outlaws because of our attitude to salmon. This is a regrettable statement to be made in any publication but the people reading it will be influenced by it and will not be encouraged to visit Ireland. The average number of bed nights spent by an angler coming over from the UK to fish for salmon is over 14 days. The west of Ireland and many other areas which became dependent on this type of angling over the years have seen a decline in their business and are extremely frustrated. Many segments of society are affected by this issue.

People involved in drift net fishing must receive appropriate compensation if they are to exit the business. However, if the Minister of State sets the tone with a compensation package, which was previously achieved over a short period of time to decommission a fleet of vessels, it can be achieved. I wish good luck to the scallop fishermen who received a compensation package.

Mr. Gallagher: It was not just for scallop fishermen.

Mr. Finucane: I accept that the package catered for other fishermen as well. The Minister of State's predecessor, Deputy Michael Woods, was hailed as a hero in Donegal a few years ago because of his achievement in getting additional funding to add more vessels to the fishing fleet.

Mr. Gallagher: They were modern vessels.

Mr. Finucane: After a few years, the situation changed again. Fishermen were encouraged at that time to fish for deep sea fish. They began fishing for deep sea fish but quotas were introduced at EU level so a contradictory state of affairs exists.

People are waiting for decisions on the salmon issue. I am disappointed that the Shannon estuary's spokesman was not appointed to the National Salmon Commission, which had its first meeting recently. The estuary, which was rep-

resented in the past, was disappointed that its chosen candidate was not appointed to the commission and that the estuary was not recognised. Perhaps the Minister of State received many applications for very few positions. If the commission, under the leadership of Joey Murrin — a respected figure in marine circles — wishes to take action on this issue, it cannot put the matter on the long finger. It must come up with policy decisions in the near future. I will conclude because my time is up but I feel strongly that we need action and that the Minister of State should not procrastinate on this issue.

Mr. McHugh: I welcome the Minister of State, Deputy Gallagher, to the House. I have a few questions about the National Salmon Commission, which has been discussed at length in Oireachtas committees. In respect of the representative group body on the commission, I know the Minister of State intends to appoint a nominee from Fáilte Ireland at some stage. Point 4 of the terms of reference of the commission states “to engage, as appropriate, in a proactive dialogue with representatives of bodies and organisations prescribed for the purposes of Section 55A(2)(b) of the Fisheries Act 1980”. I hope there will be intensive dialogue between the commission and the local authority in terms of, as the Minister of State just mentioned, pollution.

The Minister of State is aware that many anglers in Donegal fail to mention that rivers are being polluted at an alarming rate when they highlight drift and draft net fishing. This pollution is not the fault of farmers; they keep slurry back from the rivers. The problem arises from the discharge of domestic and industrial sewage into rivers and streams. If we are to have any discussion on salmon stocks in river beds, we must positively engage with local authorities. For example, the local anglers in the village of Glen in Donegal are irate because raw sewage is entering the river. We can have a lengthy philosophical debate about drift and draft net fishing but when raw sewage is entering a river, it is a major problem and can lead to an epidemic of disease among fish.

The Minister of State spoke about the four interest groups in this debate. There are many interest groups — tourism, angling, commercial fishermen and the community. There is a traditional community focus and tradition of drift net fishing in the west and along the coast of Donegal. It was a way of life and has contributed considerably to the economy and wealth of the area. The fact that it was a tradition and way of life must be placed on the record. It is a four-way debate between tourism interests, anglers, commercial fishermen and the local community that must be brought together and concluded sooner than later.

The year 2007 has been designated as the year when a decision will be arrived at regarding the

National Salmon Commission's outcomes, conclusions and recommendations. This year is too far away because there is sufficient scientific evidence and empirical data to show us the correct route to take on this issue. There has been a long and extensive debate and 2007 may be too far away.

I congratulate the chairman of the National Salmon Commission, Joey Murrin, who is from Killybegs, on his appointment. He has a great wealth of experience and expertise and is a very good appointment. Hopefully, he will head up a team which will move quickly on this issue. I sat on the Donegal County Council committee on fisheries. To return to a point referred to by the Minister of State, the issue of seals was raised at every meeting I attended for five years. It is a major issue for salmon stocks and it is very important that attention is paid to the effect of the seal population on salmon stocks.

The figures regarding the fishing effort are available and show that there has been a decline of 36% from 220,000 in 2001 to 140,000 in 2005. It proves that there is a serious problem. Fine Gael believes that people in the drift and draft net fishing sector who are interested in voluntary buyout should be facilitated and negotiated with sooner than later. It is a major philosophical and holistic question and must be addressed sooner rather than later. I hope we will not employ a consultancy company to draw up the conclusions and recommendations of the report. I am not saying this simply because it is a trendy topic of conversation in the past few weeks. I hope a consultancy company will not be employed to draw up the conclusions and recommendations of the report. There is enough expertise within the Department to produce a report on the conclusions and recommendations of the salmon commission. There is no need to employ a Deloitte & Touche or any other consultancy company unless, perhaps, the Minister of State can recommend one in Donegal that has expertise in the area.

Mr. Gallagher: The Senator is a national figure.

Mr. Kenneally: I welcome the Minister of State, Deputy Gallagher, to the House. He has been in the House frequently in recent times and is always welcome.

Since becoming the Fianna Fáil spokesperson on communications, marine and natural resources I have been anxious to do something about the vexed question of salmon fishing. I was delighted when the chairman of the Joint Committee on Communications, Marine and Natural Resources, Deputy O'Flynn, and the committee decided to pursue this subject through the formation of a sub-committee which would fully explore everything involved in this industry. I was glad to serve on that committee and, being the only member of the Seanad who was on the committee, I would

[Mr. Kenneally.]

like to think I had a major input into the formulation of the report published last week which is intended to be a blueprint for salmon conservation in the foreseeable future.

Since 1989, when I first became a Member of the Oireachtas, this has been a problematic area. Year in and year out I have continued to face complaints whether because of the perceived zealotry of fisheries officers, the curtailment of the season, arguments on the use or non-use of monofilament nets, the introduction of a tagging regime, conservation matters, set-aside, quotas and so on. There have been myriad problems over the years and nobody was happy with what was going on, whether commercial fishermen of whatever type, anglers or those involved in the tourism industry.

This report is an honest attempt to bring about change and I think it strikes the correct balance across the various interest groups. Human nature being what it is, no one will be totally happy with the proposals we have made but I am confident also that no one will be totally unhappy. Politics, we are continually told, is the art of the possible. I consider we have reflected the realistic position of the fishing industry in these proposals and that they are the best possible combination taking the many different interests into account.

The committee received 48 submissions and 45 organisations or individuals made presentations to the committee. We are often criticised not only in this House, but in the other House, for the length of time we are in plenary session and the lack of Members in the House at any given time. The point is often made in explanation that Deputies and Senators are elsewhere in the committee rooms and this report, which is the result of lengthy debate, consultation and evaluation, is evidence of the huge number of hours we work largely out of sight of the public or the cameras. This is happening across a wide range of committees and delivers positive and practical results for the hours invested, which are often unpublished, unseen and unnoticed. Our work in tackling the salmon problem and the production of this report was necessary as we are faced with the result of declining salmon stocks in recent years, which has largely been blamed on drift netting. Much of the criticism was unfair and there were other factors at play which contributed significantly to the position in which we now find ourselves. One of these is predation, mainly by seals and cormorants. We recommend that the Department of the Environment, Heritage and Local Government investigate the whole issue surrounding seals, as this matter is outside the remit of the committee and that of the Department of Communications, Marine and Natural Resources generally.

Pollution is another factor in the diminishing stocks which we took into account, as is global warming. Another possible cause may be disease.

Recently we have heard of diseased fish appearing in the River Blackwater. We do not know as yet how widespread is this disease or if it has affected fish in other rivers. It is, therefore, simplistic to say that drift netting is the sole or even the main cause of the drop in salmon stocks. I wish to quote from some of the contributions made to the committee, the first being from Mr. Lorcan Ó Cinnéide of the Irish Fish Producers Organisation who said:

Let me point out that this activity occurs for 6.2% of annual time. This means that for 93.8% of the year there is no man-made impediment at sea to fish arriving in rivers. The supposed damage being done by commercial fisheries suggests that the vast majority of fish are arriving in precisely the two calendar months when the State allows fishermen to operate during the day four days per week in order to commit voluntary suicide.

Furthermore, Mr. Michael Connors, East and South-East Netmen's Association told the sub-committee that:

For the last 40 years I was free to fish from 1 February to 15 August, five days per week, 24 hours per day. Now, the season is restricted to June and July, four days per week, from 4 a.m. to 9 p.m. ... The angling representatives, in particular, as well as those who spoke against commercial fishermen should explain what happens to spring salmon. We do not fish in that season anymore as we begin fishing on 1 June. However, despite the absence of fishing in February, March, April and May, stocks are still down, which is not the fault of commercial fishermen... ..

Not enough scientific information is available at present. I am not trying to get at anglers or anyone else in respect of the comments I make. We simply need more information if we are to manage the fishery properly. I shall touch on that issue again later.

In regard to the recommendations of the report, particularly where it is stated there should be a voluntary buyout or set-aside for a three year period. It is the belief of many members of the committee, from the conversations they have had with fishermen in their own areas, that there is a substantial number of licence holders who would avail of a voluntary cessation. In his contribution Senator Finucane referred to that issue in regard to his area.

To further underpin this matter, I undertook my own survey of the 171 licences that exist in the Waterford estuary. I got replies from 132 of those which represents a 77% return, an extraordinarily high response to any survey that shows how great is the interest in this issue from those affected by it. It is hardly surprising considering their livelihood is at stake, in an area of endeav-

our that goes back generations in many cases. Of those who replied, 90 returns, or almost 70%, indicated they would avail of any voluntary cessation and only 13, representing 10%, wished the *status quo* to remain.

In the questions I posed to them, I did not put forward any figure in regard to what money might be available. I firmly believe that if hard cash was on the table, representing a fair, realistic and equitable offer, even more of the fishermen would be encouraged to take up this option. The committee deliberately decided not to put a figure on what the level of payout should be as that would only serve to tie the hands of the Government in the future. If it acts on our recommendations, it will have to go on to negotiate with a number of different bodies before arriving at a final figure.

In its report the committee has also recommended that the Government explore the possibility of a system of financial assistance from the EU, together with contributions from anglers and tourism interests, who will be the main beneficiaries from any moratorium on netting. Assistance from the North Atlantic Salmon Fund might also be sought. The anglers, in particular, have given every indication on many occasions that they are prepared to play their part in the process and to help fund any scheme of compensation. I have met also with members of the North Atlantic Salmon Fund and they are also willing and anxious to participate, as they have done in the case of other European countries.

We further recommend a move to single stock management but there is a lack of scientific evidence to fully enable this to happen. One interesting, though disturbing, item of information which emerged in our research is that there are only 15 fish counters on our rivers. This is grossly inadequate and will have to be substantially increased if we are to form any overall picture and gather realistic information on the number of salmon entering our rivers. We recommend this be done as a matter of urgency. We also recommend a review of salmon fishing activity in three years time and it is essential for this information to be available for that review. In the interim, we expect a number of fishermen to leave the industry, which will lead to reduced fishing activity and consequently a reduced quota in each district as the number of participants declines.

In commending this report to the House, I trust that it will be useful, not only to the Minister of State, as he attempts to solve a long-standing problem in the industry, but also as part of the Irish contribution to the solution of a genuine and serious ecological problem of worldwide proportions. I trust our research and recommendations will help to provide an equitable and fair option for those in the fishing industry, who may not see a future there and who may wish to leave

in favour of another career with better prospects. The report contains valuable information which will make a positive contribution to the debate on what has been a traditional source of income for seafarers since time immemorial.

I hope the forthright manner in which we as a nation are facing a genuine crisis in an important aspect of the international fishing industry will serve as an example to others who must also act responsibly if salmon is to survive as a species. The problem of netting during the now short season is by no means an insurmountable one, as a great deal of goodwill exists among the various interests towards taking action which will help to conserve stocks of salmon, a fish traditionally associated with this country. They and we would like salmon, the foremost of our fish to continue to thrive, not just in fable and legend, but also in our rivers and territorial seas. The ball has been passed to the salmon commission and the Minister of State and we await their deliberations.

Mr. O'Toole: I wish to share my time with Senator Ross.

Acting Chairman (Mr. Finucane): Is that agreed? Agreed.

Mr. O'Toole: I suspect I might be a lonely voice in this debate. *Rugadh agus tógadh mé i measc iascairí i nDaingean Uí Chúis*, which is Dingle in English. I do not like the idea of a buy-out, which was the approach taken to the Native Americans and Aborigines — buy them out; put them out of work; put them into reservations; and forget about them. This is not the correct approach. While many different views exist, we need to be realistic. Based on my calculations and what I have heard more salmon were landed after the season this year than during the season. While I might be wrong, somebody must know the answer.

During the summer, I drove through the area where the Acting Chairman, Senator Finucane, lives and I stopped my car in awe close to Glin. I watched two people on a boat ten yards from me with a fine drift net floating along and nobody took any notice of them. While in my boat coming from Dingle to Kilrush I met the *Bradán Feasa* vessel which was trying to cover the whole area from Dingle to the Aran Islands and back down in one day. It is clear that the elimination of licences will not solve this issue. Some 40 licences are held in County Kerry. If the Minister of State suppressed them tomorrow morning it would change nothing. Many people talking about this subject believe it would make a difference. While I am opposed to it, buying out all the drift net people would not stop them fishing. This is the oldest activity in this island and we need to be realistic about the matter. I have heard that

[Mr. O'Toole.]

anglers blame fishermen but in my experience fishermen blame anglers.

During the week I listened to former Senator Ken Whitaker having a go at the fishing policy. When Mr. Whitaker was Secretary of the Department of Finance he produced two national economic plans in the late 1950s and early 1960s, which were the basis on which we entered the EEC. Not one paragraph in either plan dealt with fisheries. Mr. Whitaker could have done us a favour in the 1950s and 1960s so that we did not sell out our birthright when we joined the EEC in 1973.

The fishermen point to the pollution in the rivers, which means that the salmon cannot live when they swim upriver. The point made by the Minister of State is correct. In many cases the take from the rivers is higher than the take from the sea.

I have seen Spanish trawlers in Dingle with a quota of 20 tonnes or 30 tonnes per week and beside them were Irish boats tied up with a quota of 2 tonnes or 3 tonnes per month. It is no wonder the industry is falling apart and it is time we did some rough negotiations with Brussels. This is dealt with in different ways. I do not believe it is an issue of licensing. I do not believe it is just about drift net fishing. I disagree with the point the Minister of State and other speakers made about seals. In Canada no drift net fishing is allowed until sufficient salmon have swum upriver to refresh the stocks and to feed the bears. Seals have always been in our seas and the problem is pollution in the rivers.

Another problem relates to the rivers being considered. The real problem does not lie just in the big rivers like the Shannon, but in the small rivers. I looked at those small rivers in the summer and not only were the levels down by 1.5 m or 2 m in the Shannon, but at points in small rivers where the salmon seek to come upriver, dead salmon were lying in front the dams and weirs. As the river levels are down, the salmon have in some cases only a foot of water in which to propel themselves upriver and they are dying there because nature will not allow them to go back. We need to look at our rivers. Money needs to be invested into restocking the rivers. We should stop drift netting while salmon are coming upriver. We should implement the laws on domestic, farming and commercial pollution and should reconsider drawing off water to fill reservoirs.

We need to consider how to deal with the late run of salmon upriver. We should seek the support of fishermen on land and at sea on the first run to stop drift netting and on the second run to help the salmon go upriver. Some 95% of the salmon returning to a river do not survive, which is nature's way. They come, lay their eggs and go back downriver. Some 90% to 95% of them never

make it back to sea again. They need to be helped and in some cases this means taking the eggs from the salmon and reinserting them in the river.

We do not need the matter dealt with by bureaucrats; it can be dealt with by the fishing people at sea and on land. Heads need to be knocked together. I have made three or four suggestions today which I believe to be more effective in the long term and which fishermen will police themselves as they do in Canada and elsewhere. I would like to hear more from the Minister of State on how countries like Canada deal with the matter. It can be done. We do not need to suppress the fishing industry as we have done too many times before. We do not need to buy out fishermen or put them out of work. We need to consider what is happening in the industry with boats from Spain landing 30 or 40 tonnes of hake and john dory per week while Irish boats remain tied up. This is part of the problem. There is nowhere to go if the licences are suppressed. We need to take a broader look at the matter

We are paying the price for what happened years ago. Has anyone looked at a map and wondered why Kenmare River is called so when it is clearly a bay? It is because those people who ran this country for 800 years decided that fishing rights belonged to the owners of the land and a law was passed in Westminster to declare Kenmare Bay to be Kenmare River. Fishermen have come across such obstacles all their lives. Tonight on the Adjournment, I will raise the matter of the fishing rights on the river at Clahane. While I will not deal with the matter now, it is an issue we need to consider and I would like to see money invested into the development of such areas.

Mr. Ross: I find myself in the strange position of taking the side of the national interest against the position of Senator O'Toole who takes the interest of the private enterprise buccaneers——

Mr. Norris: The Senator has paid for that sort of response before.

Mr. Ross: —— which he has served so well here.

Mr. O'Toole: Most of them are Trinity graduates.

Mr. Ross: I welcome that in certain areas he sees the light. Most of the time he does not, but on this occasion he seems to have taken a dash into the universe which others of us enjoy more readily. What is happening in this debate is very simple. We are seeing a very obvious problem, which has been emerging over a period of time and which it is patently obvious has damaged the national interest, being defended by vested interests — I include political vested interests in

that statement. That is healthy. It is something on which politics is often debated and I do not see anything wrong with it provided we know what it is.

The Minister of State comes from a constituency where it is imperative that he defends these interests. It is clear from his contribution that he is trying to procrastinate. Those who are pro drift netting seem to be saying they are prepared to muddy the waters and that there is not as big a problem as those of us who say there is.

The Minister of State said he is seeking a consensus and for what he terms a realistic plan. He seeks to be advised and to examine. This spells only one thing to me, it spells 9 April 2007 and the hope that the Government will get to that date by referring the problem here, there and everywhere. It will pretend to be tackling the problem, and to look after the vested interests in County Donegal and the western seaboard and keep everyone happy. It will also pretend to the rest of the country that it is not as big a problem as it is——

Mr. O'Toole: Let Fine Gael——

Mr. Ross: I agree. It will hand it over to someone else while it goes into the next general election having fooled everybody.

This is a serious national problem and it is not good enough for the Minister of State to obfuscate with soft and sweet words of reassurance of the kind he use in his contribution this evening. Both he and I know there will be hundreds of people picketing the Fianna Fáil Ard-Fheis this weekend about this problem. Are we complaining about something which does not exist or is it a realistic problem? It is a problem which affects the tourist industry, anglers and anybody peripheral to those interests. It is doing the country immense damage abroad.

The Minister of State stated he could paper the walls with the number of e-mails he has received, many of which are from abroad. This suggests a form of xenophobia. There is nothing wrong with e-mails from abroad because the country depends upon e-mails and communication from abroad and upon tourism, mobility and public opinion from abroad.

The Minister of State will be aware that many of these communications come from Europe. In terms of drift netting Ireland has the worst reputation and is the worst performer within the European Community. I am mortified to hear the Minister of State is on the receiving end of so much flak even though I am also delighted. It shows that Ireland's image is worse than I thought——

Mr. Gallagher: It is an orchestrated campaign of vilification.

Mr. Ross: ——as is its reputation.

Mr. Gallagher: It is an orchestrated campaign.

An Leas-Chathaoirleach: Senator Ross without interruption.

Mr. Ross: The Minister of State cannot say it is an orchestrated campaign as they do not all have him in their sights. People are frustrated because they cannot come to Ireland to fish. The Minister of State is responsible for this situation because he is looking after his own vested political interests and that is fair enough because that is what it is all about.

Mr. Gallagher: The Senator is not familiar with the country.

An Leas-Chathaoirleach: The Senator has one minute remaining.

Mr. Gallagher: The Senator may have my time.

Mr. Ross: I thank the Minister of State.

I refer to the issue of the buyout which Senator O'Toole so eloquently addressed as did the Minister of State. There is nothing wrong with a buyout of this sort, particularly if it is voluntary. I have contacts within the angling industry, the tourism industry and the hotel industry and they are prepared to pay their share of the buyout.

(Interruptions).

Mr. Ross: It should not be argued this will be a drain on the taxpayer. The Minister of State will be aware that the hotel industry, the anglers and others are also prepared, ready and willing to pay their share of the buyout because it is in their interests and it is only fair this should be part of it.

Mr. Dardis: I welcome the Minister of State, Deputy Gallagher, to the House for this important debate which I thank the Leader of the House for arranging.

I welcome the report which is being considered by the House. It is a useful addition to what has become a very public and loud debate. I do not doubt the bona fides of any of the members of the sub-committee or the joint committee. I thank the chairman, Deputy O'Flynn and Members of this House who are members of the committee — Senators Finucane, MacSharry, and O'Meara. I thank in particular Senator Kenneally who is a member of the sub-committee, for his work and for his explanation to the House this afternoon.

The Progressive Democrats wish to protect and preserve the salmon stocks and therefore the party actively seeks the cessation of drift netting at sea. We mean a cessation, not a set-aside, not new quotas, not new management schemes——

Mr. Norris: Hear, hear.

Mr. Dardis: —but a cessation.

My party and I have been attacked for having the temerity to put forward our own view on this important issue and for allegedly having come to it late in the day. I have no apology to make for our intervention. It is untrue to say that we were some sort of “Johnny come lately” to the debate. We considered the issue well before some of the parties which criticise us had given any thought to the matter. We have not been among the representatives from the Government side on the Joint Committee for Communications, Marine and Natural Resources, which is to be regretted, but this has been the situation since its inception. I also note there is no representation of Independent Members from either this House or the other House so it is not accurate to describe the committee’s report as an all-party report, as it has been described.

Mr. Norris: The Independent Members are not a party.

Mr. Dardis: The Progressive Democrats policy position was arrived at following careful consideration and consultation and adopted by its general council in March 1999, six years ago, contrary to what has been alleged in some quarters. At that time the general council of the party endorsed the policy for the following five reasons: first, because of the continuing decline in wild salmon catches in Ireland for almost 25 years prior to 1999; second, the recognition that offshore drift netting of migrating salmon was a primary cause of that decline; third, Ireland’s increasing international isolation in allowing the practice of drift netting; fourth, the acceptance of the overwhelming economic and tourism arguments; and fifth, the recognition that a compulsory buyout and appropriate compensation was the best and only way to achieve the objective of saving Ireland’s salmon resource.

Mr. Norris: Hear, hear.

Mr. Dardis: The fact this has not happened means the situation has deteriorated further over the intervening six years. Frustrated by failure of the strategy of developing a sustainable commercial and recreational salmon fishery through aligning catches on the scientific advice, the Progressive Democrats revisited this issue during the summer recess. The current strategy, it is claimed, holds out the strong prospect of a recovery of stocks and of a long term sustainable fishery for both sectors.

There are almost as many opinions as there are contributions to this debate, as underlined in the House today and in the 48 submissions to the Oireachtas sub-committee on salmon drift net-

ting. We sought to pull together all the disparate national and parochial views into logical categories such as fish stock levels, the economy, tourism and the international context. By synthesising the evidence supporting a cessation of salmon drift netting into one reference document and in logical categories, the policy advocated by the Progressive Democrats in 1999 was shown to be undeniable in 2005.

I wish to thank publically all those groups and individuals who have made submissions to the joint committee. Most will agree that all the views were represented among the submissions and when taken in conjunction with parliamentary replies, Department and agency statements, etc., a comprehensive assessment of the issue is discernible. The Progressive Democrats concluded that the 1999 policy objective remained the correct one and that the issue was now more pressing. I thank the Minister of State for his undertaking that the report will be considered by the salmon commission. The report was endorsed by the parliamentary party in September and confirmed by the party’s general council which stated that the Progressive Democrats will actively seek the cessation of drift netting at sea, together with a fair and appropriate compensation scheme.

I endorse what Senator Finucane said with regard to the nets men on the Shannon and my own experience, having consulted with the nets men, is similar to his. Many of the nets men are quite prepared to leave the industry, given a reasonable offer. On the issue of a buyout, we must remember that we have buyout schemes in other sectors. We have a buyout in farming, called the Common Agricultural Policy.

I accept some of the arguments made about tradition, particularly with regard to nets men on the Aran Islands and offshore islands. There are certain areas which could be accommodated within the overall scheme to allow fishermen to continue in small boats, while recognising the difficulty of doing that on the open sea.

The subject of today’s statements is the report of the Joint Committee on Communications, Marine and Natural Resources. I heartily endorse the words of the chairman of that committee when he launched the report earlier this month. Deputy O’Flynn stated that “the survival of the salmon species is too important to the Irish people”. He went on to say that “the debate must be about the public good and the joint committee believes that the public good is the survival of the salmon species”. These are admirable sentiments and no one could disagree with them. The Minister of State, Deputy Gallagher, said he welcomed the comment in the report that “public moneys spent must have, as a primary aim, ensuring the survival of the salmon species and that this precept must be regarded as more important than any economic gain to any sector that may accrue”. Again, that is something to be

applauded. The question, of course, is how it can be done. Some have said there should not be an argument about who will kill the salmon. The argument should be about who will save the salmon.

I find it confusing that the first recommendation in the report states that the "Joint Committee is adamant that public policy must be dedicated to the survival of the salmon species" yet it does not go on to recommend the cessation of drift netting. The report advocates single stock management to achieve this public policy aim. While such a measure is very welcome, I do not know how it can work if mixed stock fishing is allowed to continue because such fishing does not make a distinction, in its catch, between salmon returning to rivers with sustainable levels and those going to rivers where there are very few spawning fish. I do not know how a three-year review of the proposed set-aside scheme can establish if it has been successful, given that it takes a grilse four years to grow from an egg and a spring salmon five years, as explained to the sub-committee by Dr. T. K. Whitaker.

The sub-committee was "clear that salmon stocks are declining rapidly" and I agree with that analysis. I also agree that the issue is a complex one, as reflected in the report prepared by my party. Predation, pollution, poaching and climate change, which have all been referred to today, are some of the factors involved but drift netting must go to the top of the list because it is the only thing that is under our direct control. The major increase in the proportion of fish caught in nets confirms that view and the statistics also back it up.

The Minister of State spoke about monofilament, which is also a matter of concern. Anyone who fishes for salmon knows that it is possible to catch very small grilse, of only three pounds in weight, with net marks on them. I saw a net on the jetty of one of our ports and when I picked it up, I could not believe the size of the mesh. It was incredibly small and the net was left there, in broad daylight. As I examined it, two heads popped up from below the harbour wall to look at me. I put the net down pretty quickly and moved on.

The economic argument is firmly in favour of angling. A rod-caught fish is worth over 20 times more to the economy than a net-caught one. There may be arguments about the exact figures, but the difference in value is of that order. Internationally, Ireland is completely out of step with other countries in allowing drift netting. I have seen a letter from the EU Commission stating that Ireland is to be issued with a formal warning because it believes we are in breach of the Habitats Directive.

The various arguments add up to a case of everyone being out of step except my son Johnny. Even if we were to ignore all the arguments, I

cannot understand how we could let a species disappear, much less a species that is so central to our national consciousness, a part of our mythology, folklore and culture and which has graced our definitive coinage. The risk is too high and that is why we must adopt a precautionary approach.

My credentials to express a view on this issue have been called into question. I have spent all of my adult life, and much of my youth, going to some of the most beautiful and remote parts of this country and have observed, at first hand, a natural catastrophe. I watched the sea trout disappear and I heard the lies that were told to defend practices that were indefensible, that would not be tolerated in agriculture and that the Department of Agriculture and Food has successfully rooted out. However, because such practices happen at sea, they seem to be acceptable and allowable. I have seen good people trying to build a tourism industry in their own places in remote areas, when they could have done much better elsewhere. I have watched some of them fail because there is no sport for their clients. Their guests, including Irish anglers, are going to Russia, Canada, Iceland, Alaska and South America. Some have referred to *Trout and Salmon* magazine and I have read articles in that publication that advise anglers not to come to Ireland to fish. *Trout and Salmon* is the most influential angling magazine in these islands, if not in Europe.

We have marvellous State fisheries, including Burrishoole in Mayo, where the Salmon Research Institute, now the Marine Institute, is located. One of the lakes has been closed for many years because of what has happened there. We have the Moy, a highly productive river, the Galway fishery, the Erriff, the Kerry Blackwater, the ESB, the Shannon and so forth. We have a major vested interest, as a State, in this issue. I have seen what has happened to the River Liffey, my own local river, and am devastated by what has happened over a thirty year period. I can remember when the salmon went up the weirs at the back of Newbridge College. One does not see them anymore — they are not there.

We must save the species. We cannot let it die. That is why I appeal to the Government and the Minister of State to do the right thing, not the political thing, and stop drift netting at sea.

The report of the Joint Committee on Communications, Marine and Natural Resources does not solve the problem and I do not underestimate the difficulty that more decisive and direct action presents for the Minister of State. However, for once the phrase used by Senator Ross, "in the national interest", has real meaning and resonance. I do not condone anybody sending an offensive or vilifying e-mail to the Minister of State. Whether its origin was domestic or foreign, it is not acceptable.

[Mr. Dardis.]

By all means let the National Salmon Commission deal with the committee's report but ultimately, the responsibility for the survival of this wonderful creature, with its amazing story of going to sea and coming back to spawn in the river in which it was born, rests with the Department, the Minister of State and the Government. I wish them well in their task.

A word keeps cropping up which disturbs me greatly, that is, "exploitation". We must stop nets men, anglers and anybody else exploiting salmon because that is what has got us where we are today. I do not see how balance will solve the problem either. Balance will not solve the problem because it is not possible to take everyone's interests into account, however desirable that may be. Finally, science, of which I have some background knowledge, should not be a refuge for preventing things happening that should happen.

Mr. Norris: Well said, Senator.

Mr. McCarthy: I wish to share my time with Senator Norris.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Mr. McCarthy: I welcome the Minister of State at the Department of Communications, Marine and Natural Resources to the House and am pleased that we are debating such an important issue. It has received some attention in media circles in recent times for very good reason. One can see that it is not as simple as it might initially appear.

An Leas-Chathaoirleach: I ask Senator McCarthy to pause for a moment. The Leader of the House wishes to make a change to the Order of Business.

Ms O'Rourke: There are many more eminent speakers who wish to contribute to this debate so we will not conclude it today. The Minister of State has kindly agreed not to conclude this afternoon and we will conclude the debate next week, if the Senators are agreeable. We will have Private Members' business at 5 p.m. today.

An Leas-Chathaoirleach: That is agreed.

Mr. McCarthy: The issue is not as simple as one might assume, although no one in this House has suggested it is simple. It is a fraught and complex one. I am not going to lecture the Minister of State, Deputy Gallagher, who comes from a strong fishing constituency and has vast political experience on the finer details of the issues.

The committee referred to a perceived imminent and ongoing threat to salmon stocks from

commercial netting, a decreased survival of salmon at sea, the taking of salmon destined for other rivers, especially east coast rivers, by drift nets on the west coast, the management system based on quotas, the economic benefits of commercial fishing *vis-à-vis* angling, the social and cultural value of the commercial fishery and the advisability of a compensatory or set-aside scheme. We are all aware that salmon stocks are declining, and declining rapidly. It is important that the Minister of State should endeavour to secure the survival of the salmon species. There is no fear of contradiction or lack of consistency in this regard. We are being warned by marine biologists, anglers and all those involved in the industry.

We know from experience that the plundering of thousands of species of fish in other areas was rampant. Entire species were wiped out in some parts of the world, including cod in one area. The North Atlantic Salmon Fund took a lead in this regard. It sought to protect the stocks in Greenland, around the Faroes and in areas where boats from different seafaring nations were hoovering up what salmon was available. Due to this fund and a number of initiatives by people who were extremely concerned about the issue, it has now been halted. It leaves us in an undesirable and lonely position because this is the only country which has yet to deal constructively with the matter.

Science is very accurate in this regard. I was struck by the amount of information and figures available from people involved in salmon science. I am advised that 20% of salmon waters have sufficient spawners, but the difficulty arises in the remaining 80% where, for a number of reasons, these areas are not conducive to good spawning because of poor water quality, habitat and, in particular, non-human predators. The Minister of State referred to seals. I join with him in condemning the outrageous behaviour that took place recently in this area. It is a very sad facet of any society which allows this type of activity to prevail and where this type of cruelty is inflicted on animals. It detracts from the issue.

I wholeheartedly endorse the first recommendation of the committee, namely, single stock management. It is one of the ways forward in dealing with the issue. We are aware of the numbers of people involved in the industry who make very little money during June and July. The number of people who make a living from the industry is extremely small. What could make the decision in regard to compensatory schemes easier is the various voluntary compensatory deals between the European Union, the State and those involved in the tourism sector who would be willing to contribute.

With regard to the National Salmon Commission, there is a school of thought that this comes down to a Government initiative in dealing

with the issue because there are layers of bureaucracy involved. To put it simply, there is no broad consensus on the part of most political parties on the issue. The stance taken by the Progressive Democrats is particularly well considered. One can see the level of detail involved. Other parties are considering the thought process that exists in regard to the recommendation. I looked at the Labour Party's website in the UK on the matter, including the number of people of note and experts involved in the sector. They have compiled a UK anglers' charter which touches on the various issues. I made inquiries about the Conservative Party which appears to have taken no interest in the matter. The issue is too important to neglect to have an official policy on it.

I referred to bureaucracy. There are 12 different organs of State involved in this area. These include the Department of Communications, Marine and Natural Resources, the Central Fisheries Board, the seven regional boards, all of which are autonomous, the Marine Institute, which deals with scientific research and the National Fisheries Management Executive, comprising of the CEOs of all the fisheries boards. However, ultimately, the decision rests with the Minister of State. While I am aware he is awaiting a report from the commission, he must take a lead in the issue and make a decision. No one wants to see this being a problem leading into a general election year in 2007. While the matter can be dealt with clearly, it cannot be dealt with easily, because it is a complex matter. I urge the Minister of State to examine the committee report and to take on board in a practical way its recommendations.

Mr. MacSharry: I welcome the Minister of State to the House. I am pleased to have an opportunity to make a few points on the joint Oireachtas committee's report. As the House may be aware, I am a member of the committee but not the sub-committee. I would like to pay tribute to Senator Kenneally, in particular, who was a member of the sub-committee and did tremendous work going through 40 submissions and listening to 45 individual people and organisations at the hearings. It was very comprehensive and I do not think it could have been any more inclusive in terms of the people involved in drawing up the report.

This has resulted in a representative report and a set of balanced recommendations, even though Senator Dardis disagrees with the issue of balance. Before I refer to the central issue, I would like to rebut something that was said earlier. Senator Ross's scurrilous attack on the Minister of State and his intentions is unprecedented in my short time in the House. It is disgraceful that any Member would accuse any Minister of this Government, or any Government, of over-

looking the issues at hand or the national interest in pursuit of their own political gain within their constituency. The record of the Minister of State, Deputy Gallagher, as a Deputy, an MEP and as a Minister of State with responsibility for this issue and others in his brief, speaks for itself. Senator Ross's attack is disgraceful and I would like to completely disassociate myself from his comments against the Minister of State, Deputy Gallagher, or any Minister.

On the salmon issue and on the issue of the report, it is clear from what everyone is saying that we all want to achieve the same end result, that is, the protection of the salmon species. The only disagreement here is how we get there. The recommendations in the report are ideally placed for us to achieve our ultimate goal. It is the best way forward. The Minister of State's action in referring it to the salmon commission, the most representative body, is correct because it is the best place to digest the recommendations in the report and to make recommendations to the Minister of State on the appropriate action to be taken. Everyone is represented on the commission, from the Loughs Agency, to the industry itself and the tourism industry. There is an imminent appointment from Fáilte Ireland, which I welcome. It is the best way forward.

As Senator Kenneally said earlier, we are not dealing with a full deck here. We do not have all the facts and, as the Minister of State rightly pointed out, we do not, therefore, take knee-jerk reactions. More scientific research is what is required in this area, and there is also a wide variety of other issues with which we must deal. If the Minister presided over the abolition or cessation of draft and drift netting today and we examined the issue again this day next year, there would be no difference.

Debate adjourned.

Home Help Service: Motion.

Mr. Bannon: I move:

"That Seanad Éireann, conscious of the valuable and mainly unrecognised work carried out by home helps, calls on the Minister for Health and Children to:

- regulate their contracts of employment;
- recognise the need for the regulation of their working hours and pay scales, under partnership agreements;
- provide home helps with adequate training;
- rectify the position of home helps in relation to the failure of the Health Service Executive to honour an agreement, stipulating that where hours have to be reduced, wages would only be reduced

[Mr. Bannon.]

after two weeks or four weeks, depending on length of service; and

—substantiate her claim that there were no cutbacks in the home help service in 2004 and in 2005.”

I have tabled the motion to highlight the thousands of workers employed in the home help service who have been invisible for too long. In view of the valuable contribution these unsung workers have made over many years to their local communities and the long hours they have put in on behalf of the ill, the elderly and people with disabilities whose quality of life would be bleak without their care and, conscious of the valuable and mainly unrecognised work carried out by home helps, they must be given their proper entitlements. Their contribution is a one way ticket and I intend to do everything in my power to ensure those who give so generously are rewarded and not taken for granted, as they have been by the Government over the past eight years.

It is a scandal in this post-Celtic tiger era that these essential workers remain underpaid and must work in untenable conditions. The imbalances that remain in certain sectors are a sad reflection on our society. The Minister must recognise the need for regulation of the working hours and pay scales of home helps under partnership agreements and she must also ensure the regulation of their terms of employment under the Health Service Executive. Despite continual requests to do so, the HSE has consistently failed to give home helps proper contracts of employment specifying their working hours and specialist work or provide the necessary training facilities for them.

I call on the Minister to rectify the position of home helps by addressing the failure of the HSE to honour an agreement stipulating that where hours have been reduced, wages would only be reduced after two or four weeks depending on length of service. Most important, will the Minister of State clarify the position regarding the 2 million home help hours cut in 2004? Parliamentary questions on this issue were tabled by my colleague, Deputy Twomey, in the Dáil, and followed up by my party leader, Deputy Kenny, as recently as 13 October, but the Minister has not produced data, despite her contention that the figures are incorrect. A comparison between the HSE's 2005 national service plan and a parliamentary reply on home help hours in 2004 revealed a discrepancy of 2 million hours service for the elderly. The Minister of State, Deputy Tim O'Malley, promised to supply accurate figures last July and we are still waiting. If there is no cover up, he should stop hiding and release the figures. He obviously has no grounds on which to dispute our figures. In my constituency in the

midlands the figure for employed home help in 2002 was 312. This decreased to 286 in 2003 and decreased further to 261 in 2001. Nationally, the figure for 2002 was 2,534 and this was dropped to 2,304 in 2004. Last year the home help hours were reduced by 254,000 over four counties in the midlands area.

In every constituency throughout the country, evidence supports the contention that home help hours have been slashed. The Minister of State has tried to cover up Government inaction on services for the elderly over the past eight years by spinning old Government promises as new initiatives. I urge him to forget the empty promises, whichever way they are spun, and to release the figures if he feels our estimates are incorrect. That a simple question on figures should cause the Minister to go to ground is self-explanatory.

It is hardly reassuring that the HSE's 2005 national service plan is not clear on the difference between the 2004 figures and those for 2005. If the difference of 2 million is because home help services for people with disabilities are not included with those over 65 years, it should not be a problem to provide accurate figures.

The Minister should clarify the HSE's figures if this is the case. This should be easy but not if there is another explanation, namely, another botch-up by this lame duck Government. If home help services are undermined, the repercussions will be felt in our hospitals and accident and emergency units. Elderly patients who are no longer able to remain at home or to receive the specialised assistance from home helps will end up on trolleys in our already overworked and under-funded national health service.

The Years Ahead, A Policy for the Elderly, was published in 1988 and advocated that older people should be maintained with dignity and independence in their own homes and also that the care of older persons in their own community by family, neighbours and voluntary bodies should be encouraged and supported. However, the health strategy, Quality and Fairness — A Health System for You, published in 2001, acknowledges the “need to develop a comprehensive approach to meeting the needs of ageing and older people, if the problems in the care and quality of life of older people are to be addressed and increased demands over the next 20 to 30 years are to be met”. At that time it recognised the need to develop a range of community support services, including the home help service.

The Government places great emphasis on community care, including home help services. It is now recognised that this service is an essential support to family and informal carers. The duties of home helps fall predominately into two categories, personal care and domestic tasks. The home help assists the elderly person in bathing and showering, dressing, feeding, assistance with toileting, personal hygiene and administration of

medication, under personal care provisions. With regard to domestic tasks, the home help may assist the client in preparing and serving food, assistance with meals-on-wheels service, lighting fires, bed-making, room tidying, and essential cleaning, including hoovering. The remuneration for this service is an unbelievable sum of €8 per hour, sometimes inclusive of night time work. Home helps are the unrecognised and hidden workers, who perform an invaluable job, without adequate salary, training or security of employment.

The majority of these workers are female. Their work has been erroneously described as menial by the more belittling among us. Perhaps this is why they can be paid the minimum rate and the Government can cut their hours. Categorising their work as menial is an appalling description of the valuable contribution they make to our society. In reply to a parliamentary question on the impact of cuts in allocation to health boards the then Minister of State at the Department of Health and Children with special responsibility for services for older people, Deputy Ivor Callely, stated "the policy of the Department of Health and Children on services for older people is to maintain them in dignity and independence at home in accordance with their wishes, as expressed in many research studies; to restore to independence at home those older people who become ill or dependent; to encourage and support the care of older people in their own community by family neighbours and voluntary bodies".

This sounds familiar and, in fact, he was quoting directly from the 1988 reports, to which I referred earlier. The aims are the same but not the provisions. Despite Deputy Callely's contention that there has been a major step forward in the implementation of the home help scheme since 1999, the picture is bleak and the repercussions will resonate in every area of our already overstretched health service. It is claimed funding for the home health service has increased, from €12 million in 1997, which is the year the world began, according to Fianna Fáil. The current figure is inadequate so the increase is meaningless. It is a blatant lie to contend that services in this area have improved in the past few years. It is my contention that services for our elderly, disabled and handicapped and the treatment of home helps, both financially and in terms of security of employment and training for their role, have deteriorated drastically over the past couple of years. The losers are the most vulnerable in our country and those who seek to help them.

The bottom line is that the cost of keeping people in a nursing home, whether private or public, far exceeds the cost of supporting them in their own homes, which is the preferred option of the majority of our elderly citizens. Any cutback on hours or pay and facilities for home helps is a

false economy and will come back to haunt this Government in its financial mismanagement.

The Health Services Executive has revealed that patients well enough to be cared for in their own homes are tying up hundreds of hospital beds. The shortage of home helps, nursing home care and other support services is responsible for seriously ill patients being denied life-saving hospital beds. Recently 450 patients in the eastern area alone had finished the acute phase of their treatment but were forced to remain in hospital, due to the lack of essential support services. With up to 200 patients a day waiting for hospital beds, this is farcical. Most health professionals agree that unnecessary admissions to nursing homes could be avoided or delayed by proper investment in community-based services. Some studies suggest that 16% of admissions to nursing homes are social admissions.

Elderly patients are at the mercy of a nursing home system that leaves a lot to be desired, as evidenced by the scandal at Leas Cross nursing home. This revelation, along with other investigations that have so far only scratched the surface, makes it imperative the Minister faces up to the facts and figures of the home help sector and accepts the points raised in this motion. Home helps must see a regulation of their contracts of employment. They must have recognition of their working hours and pay scale, under partnership agreements. Home helps must be provided with adequate and appropriate training. The Minister must also rectify the position of home helps in regard to the failure of the Health Service Executive to honour an agreement stipulating that where hours have to be reduced, wages would only be reduced after two or four weeks, depending on the length of service.

There is no escape for the Minister. There can be no more delay. Figures must be produced to sustain the Minister's contention that there have not been any cutbacks in the home help service in 2004 and 2005. If our claims are substantiated, another nail will be hammered into the coffin of this lame duck Government and the victims of the Minister's ineptitude will once again be the ill, the infirm and those who work quietly on their behalf. We want regulation and we want a statement on that from the Minister this evening.

Mr. Browne: I second the motion. Our major difficulty is that the Minister and the Department of Health and Children are on record as saying one thing while the HSE is saying another. This issue was raised by Deputy Twomey, the Fine Gael spokesperson on health, in an Oireachtas health committee last July at which I was present. The Tánaiste gave a clear commitment to clarify the point and get back to Deputy Twomey but she has failed to do so. I understand that even when challenged in the Dáil last week, she failed to answer the question. That immediately indicates that there is a problem. If the matter was as clear-cut as the Tánaiste maintained in July, why

[Mr. Browne.]

has it taken three months to even acknowledge there is a problem and clarify the point?

During the recent by-election in Kildare North, I met a lady involved in the home help service who was angry because her hours had been cut, exactly as outlined by Senator Bannon. I put down a parliamentary question to ascertain the Minister's position on it but the answer I got back indicated that the hours had not been cut and there was no change in the rates of pay, etc. Having regard to what happened in July, however, I am beginning to wonder who is telling the truth. That is the nub of this issue. Who is telling the truth? Who is in charge? Has the HSE now become the NRA? Is it now dictating policy? What is the role of the Minister for Health and Children? The Minister spent the past year avoiding the hard questions by saying she was only in the job less than a year but her tactic now is to blame the HSE. When asked what she believes are awkward questions, her reply is that it is not her responsibility but that of the HSE. The problem with that charade is that members of the public are suffering, in particular the elderly and those in need of the home help service. What is happening on the ground does not match the official version of events.

I met a lady lately who suffered a brain haemorrhage in 2001. Unfortunately, she suffered a second brain haemorrhage this year. Having fought her case we finally got her two hours of home help per week. The picture is not rosy. That lady has a young baby but all we managed to get for her was two hours service per week. I have no argument with the people in Kilkenny who were providing the service. They were providing the best service they could out of a small budget and with few resources but there is a problem centrally in that the Government is not allocating adequate funding.

The Government's record on the elderly is abysmal. I will arrange to table a motion at the Joint Committee on Health and Children next week calling on the Minister to immediately refund the elderly the nursing home charge overpayments. It is scandalous that the Government was finally forced to admit, after months of questions in the Dáil, that there was a problem with the charging of nursing home patients in public beds. It rushed emergency legislation through the Houses, the Supreme Court refused to accept it and the Government had to start from scratch again. Finally, when the Minister was forced to admit she had made a mistake, she then said she would pay back the elderly in her own time, and we are talking about payments being made in 2006. I look forward to the debate in the Joint Committee on Health and Children next week when we will hear, for the first time, the Government's real policy regarding the elderly. It is despicable that people who are nearing the end of their lives — some may only have a month or two

to live — are being treated in that way. They should get immediate payment.

On the question of nursing home subventions, I became aware recently of a man who goes into a nursing home for night-time care only because he is being fed through a tube. He submitted his details and all he got was a €10 in subvention. Having worked all his life and paid his taxes, that is the way the State treated him. We are fighting that case tooth and nail. There is a problem for the elderly, not just in the area of home help but in all the other areas, and I am not convinced that the Government is willing to take responsibility for it and lead from the front.

Why did the Tánaiste not clarify the point made by Deputy Twomey last July that 2 million hours had been cut from the home help service? What is she hiding? Is she not aware of the real position, which is an even scarier thought? Does she not know the answer? If that is the case, who is running the Department of Health and Children? Professor Drumm is issuing policy guidelines every day, which makes us all wonder why we are here.

This motion calls for regulation of the working hours, pay and conditions of those involved in the home help service and is worthy of acceptance. These people are working for pittance yet they provide an invaluable service. Many thousands of families greatly appreciate the work they do, often at unsociable hours as Senator Bannon pointed out. The Government should acknowledge the role they play in society and take steps to immediately rectify the wrongdoing. It is despicable that three months later, the Houses of Parliament still cannot get straight answers to straight questions.

Mr. Glynn: I move amendment No. 1:

To delete all words after "Seanad Éireann" and substitute the following:

—recognises that personnel in the home help services have benefited from substantial improvement in their terms and conditions of employment under national collective agreements between health service employers and trade unions; and

—notes that funding has increased from €12 million in 1997 to €120 million this year for Home Help services in recognition of their important role in;

(i) providing support to people who require it to enable them to live in their own homes and in the community and therefore avoid the need for long-term residential care; and

(ii) providing support to their carers and their family, as appropriate."

The reference in the amendment to "increasing the funding from €12 million to €120 million" says a great deal. Senator Bannon referred to the

Fianna Fáil-Progressive Democrats Government as being a lame duck. If it is a lame duck, the former rainbow Government perfected the hammer stroke.

Mr. Bannon: It is evident in the Senator's home town of Mullingar where a shell of a building has been left idle.

Mr. Glynn: Senator Bannon——

Mr. Bannon: It has been left idle for 11 years.

Mr. Glynn: ——is a member of the party which let phase 2 stand idle for over a year without providing a cent to open it. Whatever about being seen, I would certainly not be heard.

The importance of the home help service cannot be over-stressed. It was designed and is working as a measure to ensure that people who want to live in their own homes, that is, the elderly, have an opportunity of doing so. Having dealt with elderly people over many years in the profession in which I worked, I am aware that most people, even though they often live in adverse circumstances, will opt to remain in their own homes. As a consequence of that desire, this Government has increased the home help allocation ten-fold in the past eight years. That indicates a clear commitment on the part of the Government and the Minister to devolve to this important section of our community that they are serious about it.

A number of services are provided by the home helps. Starting with household tasks, they do general housework duties which include lighting fires, bringing in fuel, bed making and, where proposed by the public health nurse, prepare food. They also provide shopping services for the elderly and in many cases they accompany the elderly on shopping trips. That is very important, being of therapeutic value to the elderly person. Moreover, in the past those concerned were very often cast in the role of the good neighbour. However, things have changed, and the good neighbour is not only important but must be remunerated appropriately, the reason being that many people who provide home help services are mortgage-holders. It is important that they provide such a service to bring in a few extra euros to pay the mortgage. The work therefore has a twofold benefit.

The second reason is personal care, which involves getting elderly people out of bed and dressed, washing, bathing, showering and toileting them. In certain cases, it will also involve continence care, which is extremely important. I remember when I was working with the Midland Health Board and a survey was conducted by a nurse into the level of continence or incontinence, as one might also put it. It was of great service at the time. Not only did it deal with incontinence; it also helped bring about continence in some cases.

The service also still supports young families in crisis. In families with multiple births, the home help service has stepped into the breach. Single parents are also under stress, and as everyone knows, they now account for a very large percentage of new births. Families of elderly relatives who wish to go on a break are another client group. The fact that personal care is not necessarily related to the means-tested service has tended to be ignored. Household tasks are another important service. Home help organisers and home helps in general need training, since, as I have said, the "good neighbour" aspect of the home help service has almost disappeared. Apart from being there to provide that tremendous service, people now need the money.

One issue has been relevant since 1999. There has been a tenfold increase in money provided for home help services, but there are still several questions to address regarding home help organisers. We must also examine another matter. Some home helps have gone far beyond their role in assisting old people in their homes, stepping into the breach in many areas. I say this to the Minister and to all sides of the House. The home help service is tremendous, having been improved. Further improvements are necessary. I would not be naive enough to say that it is a utopia. There is no question that the service provided is unrivalled, but it must be further developed. It is accepted that those working in it need more training, since the circumstances in which they work and make themselves available have changed. We must deal with change as it arises. I commend the amendment to the House.

Mr. Ryan: I cannot but wonder at the extraordinary instinct of the Government, which rushes in to amend a motion calling on the Minister to regulate the contract of employment of home helps and recognising the need to regulate their working hours. I thought that we all shared those sentiments. The motion also suggests providing home helps with adequate training. Who would want people to carry out all those tasks without proper training? It mentions rectifying their position. If the Government took issue with that, the simple solution is to say that it is not true and state the case as it sees it. However, it did not do so. Finally, the motion mentions substantiating a claim. I was listening via the monitor to two colleagues from Fine Gael. Apparently this claim has been made time and again, and now an unholy retreat is taking place, with no such substantiation available. It seems that the Government took exception to the last part, but what problem it might have with regulating the contracts of employment of home helps is beyond me.

We know that it is a difficult area. Let us first examine the numbers and the increase in funding from €12 million to €120 million. One would need to have increased the budget of the Southern Health Board 18-fold some four or five years ago

[Mr. Ryan.]

to pay people the minimum wage, since they were being paid 50 p an hour. Other health boards were being extremely generous and paying IR£3 an hour. Recognising the fact that this was not a token, pocket-money gesture to self-sacrificing people, I have never been entirely sure why health boards paid home helps such trivial sums. It is probably a commentary on the State's inherent view that the sort of person who would volunteer is a fool and therefore not to be recognised or rewarded in same way as thrusting enterprise.

At the core of our current State philosophy, which is infecting many areas of life, is the view that, if one is any good, one gets paid for it. If one is really good, one is paid a great deal more, and the better one is, the more one is paid. In the words of the Minister for Justice, Equality and Law Reform, Deputy McDowell, a good deal of inequality increases incentives. Presumably, if one pays home helps badly, one encourages them to become something else. That is the Government philosophy, articulated by the Minister and unchallenged. He said that we need inequality. A fine definition of where one has inequality is where people are prepared, with little training and considerable bureaucratic regulation, to help out elderly people and other vulnerable groups so that they can live in their own homes with dignity.

For many years, my mother had a wonderful home help. My mother was a reasonably bright woman, and I obviously did not take after her. She was always intrigued by the number of things that her home help was not allowed to do, such as clean a window, since standing on a chair was not covered by insurance. A succession of prohibitions entertained rather than infuriated my mother.

There was a squeeze on funding after the 2002 election, when the fraud, false promises and gloriously wasteful expenditure of the two previous years were being withdrawn. The Government, in a cynical ploy, having bought the election, dumped the promises. Bureaucrats all over the health services looked to see where it would be easiest to save money after budgets were cut. As always happens in such situations, home helps topped the list, since the service is diffused and its workers usually not organised and with limited labour rights owing to their contracts often being quite peculiar.

For many years, the trades unions took no great interest in the welfare of home helps. If my colleagues and comrades in the movement take exception to that statement, I can give them chapter and verse regarding my area. Being poorly organised and with limited rights, home helps are a terribly easy target. One was giving Mrs. Murphy four hours a week but can now give her only three. If she got six, she will now get only four. The assertion that there were no cutbacks flies in the face of the experience of every politician. Such cutbacks have put enormous numbers

of families under stress because they had come to rely on particular services.

The first challenge to the Minister and the Government is to produce the evidence that no cutbacks have taken place. The second challenge is to implement a service that is as flexible as necessary. We should remember that most home helps not only work for five or ten hours per day but are often the first port of call when something goes wrong for the elderly or vulnerable people for whom they care. Most are unable, unlike senior management in the HSE, to tell a person requiring assistance at 7 p.m. that they will see them at 9 a.m. the following morning. It is only the senior managers, who are paid for the responsibility they bear, who can go home at 5 p.m. and stop worrying about the people dependent on such care.

Those who provide day-to-day care, whether nurses, hospital doctors or home helps, do not believe they have some moral right to walk away from the service they provide. That is not how they work. It is a terrible pity that their role is being demeaned by the Government's refusal to accept that their contract of employment should be regulated, recognise the need for that regulation and accept that they should be provided with training.

The claim that there have been no cutbacks cannot be accepted by anybody working in politics, excepting those in the ranks of the Department of Health and Children. This denial of the facts from the Department should come as no surprise because its connection to the realities of life becomes increasingly tenuous as one event after another unfolds. It is regrettable that the Government's amendment is worded in such terms and that it fails to address the genuine problems for those who provide the service in terms of income, training and so on. I support the Fine Gael motion.

Mr. Minihan: I welcome the Minister of State and am grateful for the opportunity to contribute to this debate. The Opposition's claim, in the introductory sentence of this motion, that a contribution to society such as that made by home help services could go "unrecognised" is beyond comprehension. Home help provides aid to older people, families in stress and difficulty, those with disabilities, other carers and hepatitis C clients who need assistance. To paraphrase a famous quote, people who do this work are a light to others, doing well and willingly the tasks at hand, namely, being aware of another's needs and doing something about it.

When home help services assist a person to remain in his or her own home and avoid the necessity of entering institutional care, they do both the individual and society a tremendous service. As already mentioned, international research suggests that the life of a person can be extended by up to two years if care is delivered in the home. I, along with the Tánaiste and the

Progressive Democrats Party, not only recognise the work of home helps but salute and applaud it.

The substance of the motion deals with the nature of home help contracts, including regulation of hours, training and wages. Following the necessary abolition of the health boards at the start of this year and their replacement by the HSE, responsibility for delivering all former health board services now lies with that body. All HSE service areas, as I am aware from my dealings with the staff in the Cork region, either provide the home help service directly or make arrangements with voluntary organisations to do so. The HSE is not limited in the categories of persons it may assist at home.

The executive is dealing with a challenging and changing scenario. In terms of home help for older people, it is estimated that between 1991 and 2026, there will be a 75% increase in the number of people aged 75 and over. Such demographics provide a challenge for the HSE and home help services. Moreover, people no longer die from the same diseases as in previous generations. Chronic conditions are key causes of illness, disability and death in modern societies. Given medical advances in surgical interventions and pharmaceuticals, Irish people now live longer. However, we often live longer with disabling, chronic conditions. In addition to demographic change, therefore, the HSE and home help services must also take account of the changing nature of illness and, as a result, the nature of care.

The Opposition motion also raises the issue of training. Medical staff and care professionals must work with and care for an 85 year old in different ways than they would a person of 55 years. There are remarkable differences, in needs and responses, just as there are between children and middle aged adults.

This is a composite issue, one that will not be simplified even by the €120 million spent on home help this year. As the Tánaiste sets out, the Government commitment in this area is evident, involving a tenfold increase in funding since 1997. I will not dwell too long on the funding element, except to say that, unsurprisingly, the tenor of the Fine Gael motion is that the Government's commitment to funding and resources is the problem. That is not the reality. There has been a 200% growth in spending on health since 1997. Furthermore, spending by the Department of Social and Family Affairs has increased by 110% in the same period.

Mr. Bannon: That is spin.

Mr. Minihan: I mentioned earlier that international research suggests the life of a person can be extended by up to two years if care is delivered in the home. There is another, perhaps more critical, element to this. It is the Government's policy to provide community-based supports to enable people to live in dignity in their own homes and

communities, in accordance with their wishes, for as long as possible. It is not just about longer life but improved quality of life.

Revenue funding allocated to services for older people from 1997 to 2004 was €287 million and €15 million has been allocated to the provision of such services for 2005. In Limerick recently, the Tánaiste referred to certain parties who wish to belittle achievements by observing that "there is more to it than good numbers". Denying numbers and the facts of progress in challenging areas does not help. Denying the reality behind the numbers is simply a hindrance.

The National Economic and Social Forum held a plenary session last month to debate its draft report, *Care for Older People*. That report draws attention to the slow pace of implementation of policy for older people and the shift internationally to more person-centred and home-based responses. Speaking at that session, the Tánaiste observed that as many as 5,000 older people in nursing homes could be cared for in their own homes with appropriate support. We must look at this in terms of life expectancy and life quality issues. Increasing support for older people in the home, including substantial increases in home care packages and availability of home help, are uppermost in the deliberations of the Tánaiste and her Department.

The 2005 OECD Report on Care confirms Ireland's moderate relative spend, as a proportion of GDP, on such services. This aspect is often a focus of Opposition statements. Not for the first time, the nuances of the topic are overlooked or ignored by some.

Policy makers — especially those, such as HSE members, who are responsible for services — face challenges relating to demographics, the changing nature of illness, training issues and so on. The matter is more complex than the Opposition would have us believe. However, we can be sure that due to the current programme, new initiatives and the appointment of the Tánaiste as Minister for Health and Children, these challenges will be resolved. The Tánaiste does not fear hard questions but some people fear difficult decisions.

Ms Terry: As I presume that Senator Minihan was speaking on behalf of the office of the Tánaiste and Minister for Health and Children and reflected her intentions on the matter, I am unsure what will remain for the Minister of State, Deputy Tim O'Malley, to say. I disagree with the tenor of the Senators' comments and his assertion that all is rosy in his garden. While I accept that the Minister, Deputy Harney, has been in office for only one year, the Government has had responsibility for this Department for a long time. In terms of responsibility, it is not a question of Ministers but of the Government.

For years, the area of home help services has been neglected. There is no doubt that this service is in a mess due to the lack of funding. I

[Ms Terry.]

learned that from people who work in that area, including public health nurses in Dublin.

While circumstances may be better in Cork, there is a shortage of home help in Dublin. I have personal experience of the service because my father, who is 93 years old, receives two hours of home help per week and my mother-in-law, who is also 93, has received one hour per week for the past couple of years. Senator Minihihan may be proud of that service and believe that it will allow two 93 year-olds to live at home but I disagree. My relatives appreciate the service and are glad of it.

Mr. Minihihan: That is two hours more than my father receives.

Ms Terry: Is Senator Minihihan's father 93? The problem in terms of not providing this service is that some people remain in hospitals unnecessarily. The Minister, Deputy Harney, has indicated that she wants to provide such a service but the Government has not acted, even though it had sufficient time to do so. That is why beds are being blocked.

Ms Feeney: Rome was not built in one day.

Ms Terry: The Government has had years to provide the service.

Ms Feeney: The Senator would come in with a magic wand.

Ms Terry: Many people would be at home if they were given the necessary care. The home help service is an integral part of this care. When services are cut or a home help person is told that no money is available to pay him or her, that person is lost. Usually, people in home help services have low incomes and need money. They cannot hang around if they do not know when they will be re-hired. It was made clear to me by a public health nurse who is familiar with the service that the loss of these valuable people is a significant problem. They have unique skills and not everybody wants to do their jobs. It is essential that they are given a contract so that they can be sure of long-term employment. Nobody should be treated in that way. Once their service is cut, they are lost because they will find more secure employment elsewhere.

Senator Minihihan asserted that the situation was complex but it is not. We need to free up beds and while some patients should not be in hospitals because they need nursing home care, others could be cared for at home. The system of primary care in the community must be developed. I appreciate that the Minister, Deputy Harney, and Professor Drumm want to develop that system but we cannot continue to talk about it. Members of the Government should not tell the House that

this is their intention as if they are in their first year in office. We are approaching the end of the Government's second term, yet it has not delivered on this matter.

People who work in the home help service need security and their work to be recognised and valued. While this work comes naturally to many, basic training is also needed. I am surprised that we have not been given details of the hours worked by home help carers but I have no doubt that the hours have been cut, which is disgraceful. I want the Minister of State to improve this service and look after the people who provide it.

Ms Feeney: I welcome the Minister of State and second the amendment moved by my colleague, Senator Glynn. I am pleased to have the opportunity to speak to the amendment. The €120 currently being spent represents a 1,000% increase on the £12 million that was spent in 1997. I listened to my good friend, Senator Bannon, with whom I hate to disagree because doing so can give him cause to shout, allege that the Government spins by introducing these matters as new initiatives. Regardless of the side of the Chamber on which one sits, a 1,000% increase is not spin.

Mr. Bannon: The Senator is losing touch.

Ms Feeney: I am unaware of anybody who does not want elderly family members to be cared for at home. However, sometimes that is not possible. This Government is committed to having the elderly cared for in the community and at home. As Senator Minihihan noted, people are living longer and are more independent than they were in the past. They want to stay at home and the onus is on us to provide them with that option. This Government has done more for older people than any other Government in the history of this State.

Mr. Bannon: Where is the evidence?

Ms Feeney: Plenty of evidence exists. Senator Minihihan referred to a report of the National Economic and Social Forum. The sub-committee of the forum on which I sit —

Mr. Bannon: That is all the Senator is about. Sitting on committees, one after another.

Ms Feeney: — launched that report three weeks ago. I often speak in this House about the work done on that matter. The sub-committee includes no more than three politicians, while lay people who look after the elderly comprise the remainder of its members. Those lay people would say that a lot has been done, acknowledge what has been done and the amount of the funding invested in the services for caring for the elderly, but they and I would also say that a lot more needs to be done.

Senator Minihan alluded to the Tánaiste indicating that there are 5,000 people in the low to medium category of dependencies who, with proper community supports, could be cared for in their own homes instead of in our acute hospitals. That brings me to the various pilots schemes in place. I will mention only one of them, the Slán Abhaile scheme. It is a worthwhile scheme that caters for people like those 5,000 people who can be cared for by their families or in the community. Once they are well they can be moved out of a hospital bed and looked after at home.

On the day the NESF launched its report, the Minister, Deputy Harney, said it is time for new thinking, new policies and new practices on services for our elderly citizens——

Mr. Bannon: She is a long time delivering them.

Ms Feeney: ——and a key priority is supporting people to stay in their own homes and communities and moving away from the practice of placing people in residential care as a first option. The Minister said that currently we do not offer enough support to high dependency patients who want to remain at home. She is determined to change this and expects to see major increases in home care packages as the winter approaches.

I was also glad to hear the Tánaiste state on another occasion that she will examine the area of nursing home subventions. In that context, we are considering the value of €95,000 being placed on a person's home. I do not know what kind of housing one would get for €95,000 when we all know that the price of an average second-hand home in Dublin is approximately €400,000. The Minister, Deputy Harney, and the Minister for Social and Family Affairs, Deputy Brennan, are examining new initiatives to support the elderly in society.

Mr. Bannon: There is no talk about delivery.

Ms Feeney: It would be remiss of me not to comment on what Senator Browne said about the scandal of the Government's handling of the nursing home charges in respect of those over 70 years of age. He and I sat on the inquiry into that matter carried out by the Oireachtas Joint Committee on Health and Children. He was disingenuous in how he has put across his point. There was a full hearing and the facts were as recorded in the report of that committee. We did not discover a scandal but rather that the position was anything but that. The Minister of State present and the other Ministers in the Department appeared before the committee. They gave their account of the position and the facts, which were debated in this House and were catalogued in the report of that committee. I record that I do not agree with what the Senator said. I do not see where there was a charge in that context.

I have no doubt that when we debate his motion at next week's meeting of the Joint Committee on Health and Children we will all want to ensure that the people who are owed money — we are all on record, including the Chairman who spoke on this subject when it was debated in this Chamber — are paid promptly. I have no doubt the Government is committed to doing that, as it is committed to looking after the elderly in our community in terms of the good initiatives that are coming forward.

Senator Terry said that the Minister has been in Government for not one but for several years. The Government parties have been in office for several years and the good state of the economy is a testament to how the Government has acted. However, improvements cannot happen overnight. Rome was not built in a day. We disbanded the health boards. Senator Bannon was a member of a health board, several other Senators were members of health boards and they saw what was happening. The Health Service Executive has been established and we must give it space and time to be effective. We can see what initiatives it is coming up with and we must be patient. We must let it get on with its work and support it.

Mr. Bannon: On a point of order, the Senator referred to my having been a member of a health board.

Acting Chairman (Mr. Brady): Senator Feeney without interruption.

Mr. Bannon: The health board of which I was a member was controlled by Fianna Fáil.

Acting Chairman: That is not a point of order.

Mr. Bannon: For the past 20 years all the health boards were controlled by Fianna Fáil.

Ms Feeney: I do consider that health boards were ever controlled by one or other of any of the political parties. Fianna Fáil might have been in the majority——

Mr. Bannon: Yes.

Ms Feeney: ——but I do not believe we ever controlled anything. There is a big difference.

We should not knock Professor Drumm. We should give the Health Service Executive room and time to carry out the good work that it is about to do. We need to be patient. We have 18 months to go to a general election. The Senators opposite will jump up and down plenty of times between now and then but we will wait until we see their manifesto for Government before we start talking about the real policy we all have up our sleeves.

Mr. Cummins: I do not have a problem with the stated policy of the Minister, Deputy Harney,

[Mr. Cummins.]

of keeping elderly people at home and providing adequate home help for them to enable them to be cared for outside of nursing homes, a policy with which I am sure everyone would agree. However, the Government's stated policy and practice in this area are different. As the motion states, home help hours have been cutback. That is a fact and we can give examples of such cutbacks throughout the country. Irrespective of what a Minister states, the facts are evident to everybody.

The Government's amendment is the usual type of amendment tabled to such motions citing what has been done between 1997 and 2005 — one would think that the world began in 1997.

Mr. Glynn: For many people it did.

Mr. Cummins: Obviously it did. Perhaps for many of the consultants involved in PPARS and other projects——

Mr. Glynn: Especially for pensioners and the underprivileged. Others talked about what they would do, but we did it.

Mr. Cummins: ——it was payback time for them, and perhaps there was a lot more to do in that area.

We have witnessed cutbacks in home help hours. When one hears of the work home helps do, and Senator Glynn outlined that work, one realises they are the unsung heroes in the health service. If one talks to any family member with elderly parents who want to live at home, one hears that those families need a little help from the State. It is only a little help involving a home help working for a few hours a day, if possible. Senator Terry mentioned that her parents have a home help service of two hours and one hour, respectively, per week. This is contrary to what the Minister for Health and Children stated. She wants to see much more home help made available but she also said that while the Government has done a lot it has a lot more to do. How long more will we hear that?

The Government parties have been in power for the past eight years. Over the past 20 years they have been in power for almost more years than we can imagine. We still hear the same old story, cry and *cnáimhseáil*, that Rome was not built in a day. We heard that again today. Rome would never have been built if this Government had been in power.

Mr. Glynn: We have built Rome, so to speak, we are now building the rest of the Continent.

Mr. Cummins: What we are seeing is Government by committee and by consultants. We hear all the pious words about the Government's aspirations and we cannot disagree with them, but when the people examine its practice they realise

how false those promises are and how false the Government has been in regard to the care of the elderly. There can be no question about that.

The delay in the repayment of nursing home charges was mentioned. Home help is the way forward and cutbacks hit both the home helps and many families and elderly people, who the Government claims it wishes to serve and help. My colleagues have spoken extensively about other areas where the Government has failed. Despite Government claims that it has spent a considerable amount of money, this is one area where it has failed miserably.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I wish to begin by thanking Senators for moving this motion and for giving me this opportunity to clarify the issues raised and to make clear my unequivocal belief that the home help service is the cornerstone of public care provision for older people. The aim of the home help service is to enable people to remain at home, where appropriate, who would otherwise need to be cared for in residential care. It is an essential support to family and informal carers. Home helps form part of a wider community team and the Government is deeply aware of the important role that this service plays in supporting older people, in particular, to remain in their own homes for as long as possible.

I would also like to take the opportunity afforded by the motion to acknowledge the hard work and the commitment of carers in the home and in the voluntary sector and to say that we are making every effort to support them as much as possible. I also wish to acknowledge the valuable service provided by home helps themselves. In no way is their work unrecognised by Government — in fact there have been significant developments in the service over recent years including a major initiative to regularise the employment conditions of persons providing home help services. In a short period of time, the service has evolved from family members or neighbours providing support on a voluntary basis to today's situation where home helps, as employees, have the same statutory rights as other workers.

Home help comprises a range of services which may be provided to a single individual or to a household, including household and domestic support and emotional and personal care issues. Home helps provide a continuum of such support to clients, particularly as clients' needs change over a period of time. By its nature, it is a flexible service which responds to clients' needs and it is targeted at people who have been assessed as having high and medium dependency. As a result, the level of service required in individual cases will fluctuate from time to time. There must, of course, also be effective prioritisation within the service. Assessments are undertaken at local level and are carried out predominantly by the public health nursing service or by the voluntary service provider where arrangements have been made

for the service to be provided through voluntary providers.

Most of us would prefer to remain living at home when we get older rather than going into long-stay care. No less than 28% of residents in long-stay beds are in the low to medium categories. This represents over 5,000 people and it is difficult to believe that many of these could not have been cared for at home if the right level of supports were in place. Clearly, long-term residential care will always be required in the health system but such places should be more appropriately allocated to patients with a higher dependency who can no longer be cared for in their own homes and communities. It goes without saying that community supports are needed if older people are to remain in their own homes or within their own community for as long as possible.

Internationally, other countries are putting in place community supports which give older people more control over the services delivered to them. Indeed, the experience is that families do not reduce their care-giving but rather maintain it if they see that there is some support for their more dependent relatives. The result of this in other countries is that residential care generally is not increasing and in some countries is reducing because of better home supports. It appears that we are short of the norm for home care provisions by OECD standards while we appear to be at the average for residential care. This is completely the wrong balance and must be changed. Given that people want to remain in their own homes, it is heartening to note the research that states that those who do so live on average two years longer.

Demand for home help services is increasing and this is attributable to a number of factors. One factor is demographic — our aging profile, although this is less acute than many of our European neighbours. In Ireland, our age profile means that approximately 6,000 additional people come into the over-65 bracket every year and there has been a proportionately higher percentage increase in the more dependent over-80 category.

Currently in Ireland, I believe that we can do even more to offer support to high dependency patients who want to remain at home. The Government is committed to developing the various community and home support schemes so that people and their families have a viable alternative to long-term residential care. There is no doubt that these supports will give people greater control over their own lives and will allow families to continue with their care. The Government is working to ensure that residential care should not necessarily be the first option when people need long-term care.

In a broader context, the Government is very conscious of the changing demographic profile of our population, with more people living longer lives and the consequential greater demand for

services, both community-based and residential. The Mercer report on the future financing of long-term care in Ireland, which was commissioned by the Department of Social and Family Affairs, examined all issues surrounding the financing of long-term care.

Following on the publication of this report in 2003, a working group chaired by the Department of the Taoiseach and comprising senior officials from the Departments of Finance, Health and Children and Social and Family Affairs has been established. The objective of this group is to identify the policy options for a financially sustainable system of long-term care for older people, including respite care, taking account of the Mercer report, the views of the consultation that was undertaken on that report and the review of the nursing home subvention scheme. This group will shortly report to the Tánaiste and Minister for Health and Children and the Minister for Social and Family Affairs.

Additional funding of €5 million was made available in the 2005 Estimates for the home help service. In September 2005, an additional €6.6 million was allocated to target services for older persons and in particular, to address the priority needs across the country with regard to home helps, bringing the total budget to approximately €120 million in 2005. This figure should be compared with the figure of £12 million, which is approximately €15 million, which was allocated to this service in 1997.

This level of funding shows the Government's commitment to the thinking and policies I set out earlier. However, we must continue to build on what we have achieved so far. We must continue and accelerate our investment in this key service if we are to meet people's real desire to stay in their own homes.

There is concern among carers generally that home help hours should not be reduced and it is clear that Senators share these concerns. I fully agree with this view, as does the Tánaiste and Government, and this concern has been made clear to the Health Service Executive. However, increased demand for the service may necessitate some minor adjustments in the provision of the home help service. Basically, this means that although a small percentage of clients may have the number of hours of home help which they receive reduced, this is counterbalanced by others receiving the service for the first time. Such decisions are made on the basis of need. In 2005, it is anticipated that around 7.5 million hours of home help services will be provided to the elderly with a further 1.5 million hours being provided for people in the disability sector and others. Funding has been provided by the Government to the Health Service Executive for this purpose. There will be no cutbacks in the hours committed to the home help programme this year.

The Government proposes to extend home based services through the introduction of home help packages. The home help system was intro-

[Mr. T. O'Malley.]

duced as a way of supplementing good neighbourliness and has now become a formalised support method. In general, it is provided between the hours of 9 a.m. and 5 p.m., five days a week, although there are exceptions. However, the care which people require is not limited to those hours. It is proposed that home care packages would run in conjunction with home help. Home help forms part of the home care package. It must be much more flexible and less prescriptive and capable of dealing with people late at night, overnight and at weekends, if required. If a disabled or elderly person is not capable of cooking meals, dressing himself or herself or putting himself or herself to bed, our home help and home care package must be able to facilitate support to do these things in the home.

Crucial to the effectiveness of the home help service is the staff concerned — the home helps themselves. In line with increases in investment in services in recent years, major progress has been made in enhancing the terms and conditions of employment of home helps who are employed in the health service. A collective agreement was finalised in August 2000 between the health service employers and the trade unions. This part-time home helps agreement represented a significant step in regularising the employment status of home help personnel employed by the former health boards and it is worthwhile setting out some of its components.

These included a commitment from both sides to the reorganisation and restructuring of the home help service. It noted that home helps would provide a continuum of care for clients, particularly as clients' needs change over a period. It proposed that an assessment of needs be conducted for each client, part of which would include the number of hours of home help service which would be provided to the client. This would be subject to regular review and monitoring. The agreement also noted that flexibility of service provision by home helps would be maintained. Under this national level agreement people working as home helps benefited from substantial pay increases and benefits.

The agreement regularised the pay and conditions of home helps in terms of pay, annual leave, premium pay and travel expenses. It recommended that contracts of employment be agreed between the parties and that guidelines be drawn up on the standardisation of working hours. Arising from the agreement, as and from 1 January 2001, home helps were transferred to the same pay scale which applied to non-nursing staff at that time. During the course of this process, an assimilation exercise was also agreed, which granted incremental credit to home helps, thus recognising previous service. That is not to say there are no outstanding implementation issues. However, all such issues, for example, contracts of employment, continuity of working hours and superannuation continue to be dis-

cussed between management and trade unions in accordance with normal industrial relations processes. I stress that, in overall terms, significant progress and enhancement of the terms and conditions of home helps are evident since the August 2000 agreement.

Since 2000, home helps have been included in collective agreements which apply to non-nursing support staff. Senators will be aware of the work of the public service benchmarking body, PSBB, which was established to carry out a detailed examination into jobs, pay and conditions of public servants and compared them with jobs of equal size in private sector. In tandem with this process the PSBB established a parallel process for craftworkers and non-nursing personnel, which included home helps. This is called the parallel benchmarking process.

The resulting agreement between health service employers and the trade unions — SIPTU, IMPACT and ATGWU — in regard to the support, formerly non-nursing, staff employed in the health services became known as “Recognising and Respecting the Role”. This is a framework agreement for support staff in the health services which aims to contribute to the ongoing development of support staff and the services which they are responsible for providing. It sets down the modernisation and change required in the service, the achievement of which would result in pay increases for personnel.

The parallel benchmarking agreement which was concluded in late 2003 provided for three phases of pay increases to eligible personnel, including home helps as follows: phase 1, 25% from 1 December 2001; phase 2, 50% from 1 January 2004; and phase 3, 25% from 1 June 2005. Payment of the first phase in the form of a lump sum of €2000 to each whole time equivalent, or pro-rata thereof, was sanctioned for payment by the end of December 2003. This was an up-front payment.

As well as pay increases under the parallel benchmarking agreement, non nursing personnel have also benefited from the following general pay increases under Sustaining Progress and the mid term review of Part Two of Sustaining Progress: 3% from 1 January 2004, 2% from 1 July 2004, 2% from 1 December 2004 and 1.5% on 1 June 2005. Further increases of 1.5% and 2.5% fall due for consideration with effect from 1 December 2005 and 1 June 2006 respectively. Sanction to payment of all these pay increases is subject to health service performance verification group being satisfied that the employees have complied with the modernisation and change agenda for the health sector.

Under the parallel benchmarking agreement, with effect from last June pay structures were streamlined; more than 25,000 support staff, including home helps, were placed within four bands for pay purposes, a reduction from the 11 bands which had applied heretofore. Recognising and Respecting the Role also contained specific

provisions on the training and development of support staff. A discrete fund of €60 million is to be spent over the five years period 2004 to 2008 on training and development and thereafter a fund of €12 million per annum is to be provided. This underlines the commitment of the Government to address the on-going training and development needs of support staff. This training is being implemented through the SKILL project, an acronym for securing knowledge *intra*, within, lifelong learning.

The SKILL project is a unique training initiative which is designed to address the needs and aspirations of support staff in the health service, including home helps. Its mission statement is, "To educate, develop and train support staff in the health services to the optimum of their abilities, in order to enhance their role in the quality of service to patients". The overall objective of the SKILL project is to allow individuals to undertake a programme of training, development and education. Participants in this programme will be enabled to progress through a predetermined structured framework encompassing personal and career development, training and educational opportunities. In this way, participants will be able to acquire new knowledge and skills, and will also receive recognition for their achievement, by way of accumulating credits and accreditation of prior learning, right through to the achievement of higher level academic vocational qualifications. The training and development needs of support staff, including home helps, will be identified through consultation with all stakeholders and in particular with each category of support staff, managers and users of the service.

The SKILL project has the following twin objectives: first, to provide opportunities for support staff in the health services to acquire the skills and knowledge necessary to enable them provide excellent levels of service in the health services, and to provide support staff with the ability and confidence to adapt to the changing environment of the health services and, second, to provide an integrated framework within which support staff in the health services can pursue personal and career development. It is envisaged that the structured framework which has been designed for the SKILL project will be supervised and monitored by a recognised college and/or learning and education accreditation organisations. In other words, the training, development and education programmes provided to participants in the project will be required to comply with the standards set by the accreditation body. The overall SKILL project will be divided into a number of work packages to develop and deliver programmes to specific groups of support staff, for example, the creation of a programme specifically geared towards the needs of home helps.

The HSE has confirmed this evening that the amount of hours delivered by the home help service will not be cut. The Department of Health

and Children is in consultation with the HSE to get full and accurate figures on the number of hours delivered by this service in recent years. It is hoped that all this information will be collated within the Department shortly and will be published. The full-time salary for those involved in home help is approximately €27,000. Part-time workers are paid on a *pro rata* basis.

I appreciate that the motion is important both to those involved in home help and to the people who use their services. I am very conscious of the changing demographic profile of our population. More of us are living longer with a consequential greater demand for services. Significant developments in the home help service have taken place in recent years including a major initiative to regularise the employment conditions of persons providing home help services. In a short period of time the service has evolved from family members and neighbours providing support on a voluntary basis to today's situation where home-helpers, as employees, have the same statutory rights as other workers.

The Government is determined to continue its focus on supporting care in the community for older people. The home help service is a fundamental part of this support. I acknowledge that we do not have a perfect system and that more work needs to be done if we are to give people a real choice. We are targeting those most in need while also ensuring that the home help service is available to as many people as possible. There is, therefore, a continuing need for prioritisation within the home help service. I again stress that the Government is absolutely committed to the further development of the home help service. The very substantial increase in funding over the past eight years shows that commitment in concrete terms. For my part, I will continue to work assiduously towards ensuring that the service is improved and that older people can retain their independence and their place in the wider community.

Mr. McCarthy: I support the motion and welcome that we are debating an extremely important issue. I do not believe there is anybody who cannot attest to the wonderful service provided by many people to many homes throughout the country. The service has been developed in recent years and thankfully our economy is now sufficiently buoyant to allow us to do so. It began with the helpers being paid a pittance. The service was relatively new and money was needed for other areas in the health system. Thankfully in recent times we have seen the conditions and levels of remuneration improve. Accordingly, there is a higher rate of dependence on the service on the part of those who wish to remain in their communities for as long as possible and who are not as reliant on hospital care as others are.

It is important to make sure that the person receiving the service as the single most important

[Mr. McCarthy.]

individual represents the cornerstone of policy in this area. We need to ensure the standards, under which those who provide the care operate, are beyond reproach. We also need to ensure that those conditions of employment are conducive to providing a very good service and encourage people to become involved in the area.

On the question of ongoing training and development, step down services are in great demand. There is a double whammy here. If we can provide the type of support that is necessary for people to remain in their communities it is equally important to have a sufficient level of expertise for those providing the service. For instance, I know many people who have completed courses and obtained certificates in dealing with patients with Alzheimer's disease. It is important to invest in such education so that people can learn the various skills although not on a full-time basis as we have sufficient medical personnel in that regard. It is also important that those providing a service in that area have some level of knowledge and expertise. We have seen an increase in the courses available, which improves the standard of service. There are immense benefits to those who can acquire such skill and knowledge. There is also a certain amount of fulfilment in terms of the commitment those providing the home help service have to the people availing of it. It is critical to ensure that the standard of excellence exists at all times. It is therefore critical to invest in training and ongoing development of those providing the service.

The support can be monitored on various levels. There is a huge element of emotional support for people. Someone calling on a daily basis provides companionship. Too often we can forget the loneliness of those living on their own, who by and large have fended for themselves throughout their lives but are now getting on in years and have become more reliant on others for various reasons. We cannot underestimate the level of emotional support given to these people in terms of companionship to provide an ear and be there for somebody. Occasionally we overlook that very important part of the service.

I refer to the conditions under which people work. A relative of mine who worked in the service in the 1990s did so for a pittance. The Department has a much bigger budget and we have more money in the economy allowing us to provide these services. I am very glad that the level of remuneration is equated to that of a care attendant in a hospital.

Approximately two years ago budgetary constraints resulted in a reduction in the number of hours some people provided. Even when overall cutbacks in services need to be made, we cannot afford to reduce the level of home help service. We are sufficiently well covered. If overall expenditure needs to be reduced, I plead with the Minister of State to consider other areas. Vulnerable people are availing of a service and people

provide a service for what in real terms is not a huge amount of money. If cutbacks need to be made this particular area should not be attacked. I recall a case of a person who was provided with care in the aftermath of having been widowed. The person had a child with a disability and the task of minding the child was particularly tough and harrowing in their new circumstances. The home help hours were reduced by approximately two hours per week. While this might not seem very much, it was a large amount of time for the person concerned and caused some trauma.

I have spoken before about care attendants in hospitals. It is critical that contracts of employment and conditions of employment given in other areas of the health service are given to home-helpers. While this occupation is registered and viewed as a stand-alone role, it should be linked in terms of conditions, including rates, hours, overtime, bonuses and all the other benefits applying to hospital posts.

I am glad to support the motion. While as we approach a general election, I presume cutbacks will not be made, if cuts ever need to be made I appeal to the Minister of State that this area should not be considered for a reduction in expenditure. It is a critical area providing an enormous service to the community. It is saving the State considerable money. If many of these people needed to go to hospital the demand on the Exchequer would be far greater.

Ms Ormonde: I welcome the Minister of State to the House and I welcome his report on the home help service and its importance to the wider community. I acknowledge that we are living in different times with changes in the demographic profile of the country and with people living longer. It is natural to study this subject to see how best to enhance the quality of life of the elderly population in the community.

Two weeks ago I chaired the annual general meeting of the Institute of Community Health Nurses, which represents public health nurses, which was held in Portlaoise. The main discussion centred on the necessity of a team approach. The Government is very committed to this project with an increase in funding from €12 million in 1997 to €120 million. This acknowledges and reflects the importance of the home help service to the community and the enhanced quality of life it provides to the elderly. In order to create the service and make it a substantial structure, the Minister of State has highlighted the importance of creating a proper training structure for home helps with proper conditions of employment. It is important there be no going back on this commitment.

The home help service is greatly in demand. It is a local service and home helps perform all the necessary duties associated with the care of the elderly. They can inform the elderly person of the local news and bring enjoyment to people in their latter years.

The service is not sufficiently publicised. The home help structure in some former health board areas seems to be flimsy, a fact acknowledged by the Minister of State when he referred to areas which need improvement. The service is a core area of health care and is acknowledged by the public health nurses as being a system of back-up support for their service. Elderly people do not always require nursing or medical care but they need a local person who knows them well and can judge when the elderly person requires a nurse or a doctor's care. This is a necessary network. If the system is implemented correctly now it will have a positive effect in the future by helping to keep people out of hospital or residential care and so freeing up such facilities for those who need it and also reducing the cost of residential care.

I commend the amendment as it is a subject which deserves discussion. It must be acknowledged that the service needs to be upgraded and provided with a structure. I suggest the service should be publicised more. I would not know how to go about asking for a home help if I needed one.

The Government has shown its commitment to the service and the money is being put into it. The Minister of State has said he will do more but I urge him to publicise the service and get value out of it. He is doing a lot of work and this should be acknowledged. There is no point talking in this House while nobody outside is aware of what has been said on the subject. I am with the Minister of State in this positive work and I will publicise it.

I am aware of the new skills which the Minister of State has decided are necessary and that he has benchmarked a structure. Many people would be happy to undertake this work given the conditions of employment which are proposed and given that it is work within their locality. They would be happy to provide a community service and be paid accordingly. This is a good report and I urge the Minister of State to work to improve it.

Mr. Bradford: I suspect the Minister of State, Deputy Tim O'Malley, will definitely support Senator Ormonde in the next Seanad election because that was a strong plea. We all know that child care will be one of the big issues in the next general election and the political parties are currently putting forward their views on this issue. It is an important matter which needs to be addressed. However, the same degree of political thought, attention and priority must be applied to the question of the care of the elderly. The demographic statistics are known and it must be acknowledged that care of the elderly will continue to be a significant problem. The political debate during the past five or six months has centred on the question of nursing home subventions and on where the responsibility lies in respect of nursing home charges and the repayment of moneys.

A fresh approach should be adopted towards the expansion of the home help service. The Government Members will not be supporting the motion but it has put the issue of home help on the Leinster House political agenda. Proper attention should be directed towards two aspects of the care of the elderly, the home help service and the carer's allowance. Maximum results can be obtained from minimal investment.

The Minister of State stated that €120 million is being invested and this is to be welcomed. However, if I was a cynical person I could say that was the sort of money which the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, last week regarded as a drop in the ocean. I hope more funding can be set aside for this programme.

A national debate on the care of the elderly is required. It must be re-emphasised that the care of the elderly should not be simply regarded as having a nursing home solution. Our aim must be to ensure that the maximum possible number of elderly people are enabled to remain in their homes and in their communities. The home help scheme and the carer's allowance scheme have been expanded and developed to a certain extent but they must receive a higher priority.

Senator Bannon raised the issue of proper contracts of employment, the regulation of working hours and the provision of adequate training for home helps. Members of the House will be familiar with the outstanding and sometimes almost hidden work done by the home helps in their own localities. Without the home help service and the carer's allowance scheme, the current long queues for geriatric and long stay beds would be even longer.

I urge the Minister of State to tackle the question of extra beds in district and geriatric hospitals. I hope it is not his intention to regard the care of the elderly as a one piece jigsaw; there are many pieces in the jigsaw, such as community and social housing and Respond housing. It is a problem with many types of solutions. The home help service has been underfunded and under-rated and has never received the political attention it deserves. We are beginning to see the benefits of funding this programme more positively and more fully. In so far as the Department has been able to bring about some improvements and invest additional resources, I welcome that, but it is a question of a little bit done and a lot more to do.

In every Government statement we listen to, or endure, every figure is compared with 1997. In Cambodia, when Pol Pot took over, the year of his accession became known as year zero. Our year zero is 1997. When the Minister of State reminds us of what has been done since 1997, we reflect on the fact that he and all his political colleagues have been in office since then, which is eight long years. There has been plenty of time to make progress and while I acknowledge that a

[Mr. Bradford.]

certain amount has been made, many opportunities have also been missed.

The issues of care for the elderly, home help and the carer's allowance are important. I am sorry for referring to the carer's allowance so often during a debate on home help but it is a central part of the programme for caring for the elderly. Flexibility was introduced into the carer's allowance system which has worked very well. We also need the maximum flexibility for the home help system, with regard to who can qualify to carry out the work, who is eligible for home help and so on. We need only to reflect on the cost of keeping a person in a district or geriatric hospital, which is at least €1000 per week and acknowledge that, for a tiny fraction of that cost, many people would be much more comfortable and content in their own homes, among their families, friends and communities. That is why issues such as the home help service must be kept at the top of our agenda.

A debate on child care is being embarked upon by all the political parties, following which a conclusion and unanimity may be reached. I hope that we devote the same political attention to the issue of care of the elderly and that we will put the structures in place that elderly people not only demand, but deserve. The Minister of State cannot but agree that everything sought by Senator Bannon and members on this side of the House, that is, our demands on behalf of the elderly, are reasonable and modest. I hope the Minister of State can respond appropriately and ensure that the improved financial standing of our country will result in an improved level of care for our elderly.

Mr. Leyden: I welcome the Minister of State to the House and wish him well in his ministry. I was in the Department for some time in the past and I must compliment the Minister of State for the work he is doing there. I also welcome the former Senator, Mr. Jim Ruttle, his son Robert and several visitors from the United States of America. Mr. Ruttle had a very distinguished career in Seanad Éireann and it is nice to see him here today.

Eight golden years describes the last eight years of Fianna Fáil rule.

Mr. Bannon: Is that a new sound bite?

Mr. Leyden: I am surprised at the motion tabled by Senator Bannon. I do not know if the Minister of State has read the motion or has been briefed on it, but it calls on the Minister for Health and Children "to regulate their contracts of employment" and to "recognise the need for the regulation of their working hours and pay scale, under partnership agreements..." Am I missing something? I have documents here that outline the home help rights and entitlements, that is, the home help rights and entitlements

part-time workers collective agreement 1992, the home help agreement 2000 and the contract of employment 2004. These rights and entitlements were introduced, all items are listed, the conditions are attached, so from where is Senator Bannon coming? These documents detail the various rates of pay and travel allowances, all of which were negotiated and agreed.

I know that Senator Bannon has lost his way but it is a very poor day when this is the only motion that could be laid before this House this evening.

Mr. Bradford: That is an unfair comment. Any debate on services for the elderly in this House is not a waste of time.

Mr. Leyden: The motion urges the Minister to regulate the contract of employment for home helpers. It is already regulated in a very positive way. When Fine Gael was last in Government, it paid home help staff £1 per hour. That was under the last coalition Government and is a fact.

Mr. Cummins: That is not true.

Mr. Leyden: That Government relied totally on the goodwill of the beneficiaries of the services of home help staff. When I was a member of the Western Health Board, the then Chairman, Dr. Rice, campaigned —

Mr. Bradford: That was before the former Minister for Health and Children, Deputy Martin, sacked the Senator.

Mr. Leyden: I would like some protection from the Chair because I need —

Mr. Bradford: Or protection from Deputy Martin?

An Leas-Chathaoirleach: Senator Leyden, without interruption.

Mr. Leyden: I remember at that time Dr. Rice embarked on a campaign, backed by Fianna Fáil, to increase the home help allowances and to give workers proper pay and conditions. That was achieved under a Fianna Fáil Administration.

Mr. Cummins: It could not have been £1 then, as the Senator argued earlier.

Mr. Leyden: The situation is that in 1997 —

(Interruptions).

An Leas-Chathaoirleach: Senator Leyden, without interruption.

Mr. Leyden: In 1997, the last time that Fine Gael was in Government, £12 million was provided for home helps. This Government is now

providing €120 million per annum. Does that not say everything? How could any Opposition party highlight its own deficiencies in this way? I cannot believe it. Why score an own goal at this point? It has highlighted the fact that it provided £12 million in 1997. Can the Leas-Chathaoirleach help me with a query — was that the last time that the eainbow coalition was in Government?

An Leas-Chathaoirleach: I can help you, Senator Leyden, by telling you that your time has elapsed.

Mr. Leyden: I am not accusing the Chair of being biased in any way but the point —

Mr. Bannon: Senator Leyden is spinning it again. He is the Roscommon spinner.

Mr. Leyden: If I was not hitting home so hard, my time might be extended.

An Leas-Chathaoirleach: I ask Senator Leyden to conclude.

Mr. Leyden: Given the circumstances, I will conclude on this note — £12 million in 1997 and €120 million in 2005. That speaks volumes.

Mr. Bannon: I thank the Minister for State for listening to this debate and compliment the Senators who made contributions to it, particularly those from this side of the House.

Instead of tabling an amendment to the motion, it would have been better for the Government to apologise to the public for wasting public funding. We have learned in the last week that the Government wasted €3 million on a website that never got off the ground. It wasted €150 million on the PPARs episode, which involved paying off consultants and so forth. We also heard the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, dismissing the sum of €150 million as a drop in the ocean in the context of the health budget. The money that was wasted by the Government would provide a large number of services for the elderly. We could be talking about a state-of-the-art home help service today were it not for the fact that the Government wasted so much money on consultants. Shame on the Government for that.

I am very annoyed and a large number of people who visited my office last weekend were disgusted at the manner in which the Government wasted this money and at the comments of Deputy Dempsey, when he argued that the money only represented 1% of spending on health. That money would have enabled us to provide care for our handicapped, respite for infirm people in their homes and other such services.

We have heard a lot of spin from the Government today and indeed, the Minister of State only

added to it. Senator Feeney talked about nursing home subventions but I wish to point out that the subvention has not been increased in the last ten years.

Mr. Glynn: That is not correct.

Mr. Bannon: Another area, raised by Senator Glynn, who is commenting now —

Mr. Glynn: That is not correct. The Senator does not have a notion of what he is talking about.

Ms O'Rourke: Senator Bannon is incorrect.

Mr. Bannon: Senator Glynn marched in Mullingar with me in protest at the Government's neglect of health services in the midlands —

Mr. Glynn: I marched to defend my hospital.

Mr. Bannon: Senator Glynn marched with me in Mullingar —

Mr. Glynn: I had to give the march some semblance of respectability.

Mr. Bannon: He marched in protest at the Government's —

Ms O'Rourke: I thought this debate was about child care, or rather, home help.

An Leas-Chathaoirleach: Senator Bannon, without interruption.

Mr. Bannon: Senator Leyden, in the last few minutes, insulted the elderly and home help and he should withdraw that insult.

Mr. Leyden: It was Fine Gael I was insulting, not the elderly.

An Leas-Chathaoirleach: Senator Bannon, without interruption.

Mr. Bannon: The Minister failed to supply accurate figures despite promising to do so. Last July, the Tánaiste promised she would clarify the figures. When the Fine Gael spokesman, Deputy Twomey, pointed out that 2 million hours of home help were cut, the Minister said it was incorrect. However, she has failed to clarify the position in this regard.

I would like to compliment the voluntary sector on its huge input into caring for the elderly. Some home helps work very unsociable hours to deliver a service for a pittance. Community support must be enhanced. The Minister of State spoke about community support abroad and the services being provided for the elderly. He said that in some countries admissions to hospital are being reduced because of better home support. He

7 o'clock

[Mr. Bannon.]

acknowledge the neglect of the Government in this area. All the evidence suggests that home help hours have been slashed throughout the country. There has been more cover-up today by the Government in regard to the inaction on services for the elderly.

The Minister of State referred in his statement to minor adjustments. Minor adjustments to me mean cuts in services, which was admitted today.

(Interruptions).

Mr. Leyden: The Senator's party was paying £1 an hour.

Mr. Glynn: This is what was paid in 1997.

An Leas-Chathaoirleach: Senator Bannon, without interruption.

Mr. Bannon: The Minister of State spoke about the agreement with the unions, etc., but it has not been implemented. Agreements made with the unions have been reneged on. I know from members of unions that they are not happy with what staff who work in home help are paid.

Mr. Leyden: The Senator's party paid them £1 an hour.

(Interruptions).

Mr. Bannon: It is shameful treatment. I hope, on behalf of carers, the elderly, the sick and the handicapped throughout the country that the Minister of State will take note of what has been said today and implement the policies outlined in the interests of the elderly and home helps. I am calling on the Minister of State to do so or he will not survive the next general election.

Amendment put.

The Seanad divided: Tá, 27; Níl, 18.

Tá

Brady, Cyprian.
Brennan, Michael.
Callanan, Peter.
Daly, Brendan.
Dardis, John.
Dooley, Timmy.
Feeney, Geraldine.
Fitzgerald, Liam.
Glynn, Camillus.
Kenneally, Brendan.
Kett, Tony.
Leyden, Terry.
Lydon, Donal J.
MacSharry, Marc.

Mansergh, Martin.
Minihan, John.
Morrissey, Tom.
Moylan, Pat.
Ó Murchú, Labhrás.
O'Brien, Francis.
O'Rourke, Mary.
Ormonde, Ann.
Phelan, Kieran.
Scanlon, Eamon.
Walsh, Jim.
White, Mary M.
Wilson, Diarmuid.

Níl

Bannon, James.
Bradford, Paul.
Browne, Fergal.
Coughlan, Paul.
Coonan, Noel.
Cummins, Maurice.
Feighan, Frank.
Finucane, Michael.
Hayes, Brian.

McCarthy, Michael.
McHugh, Joe.
Norris, David.
O'Toole, Joe.
Phelan, John.
Ross, Shane.
Ryan, Brendan.
Terry, Sheila.
Tuffy, Joanna.

Tellers: Tá, Senators Minihan and Moylan; Níl, Senators Bannon and Cummins.

Amendment declared carried.

Adjournment Matters.

Motion, as amended, put and declared carried.

An Leas-Chathaoirleach: I welcome former councillor and Senator, Jim Russell, to the House. When is it proposed to sit again?

Ms O'Rourke: At 10.30 a.m. tomorrow. The hour long debate on the sad death in Monaghan will be taken at 1.30 p.m. tomorrow following the conclusion of the agriculture debate.

Schools Building Projects.

Mr. Finucane: I raised the matter of the urgent necessity for a new primary school in Kilfinane, County Limerick, previously in the House and also when I was a Member of the Dáil. There was great excitement in the Kilfinane area when a new school was promised during the last general election campaign. However, there is now bitter disappointment as in excess of three years has

elapsed without the project even advancing to design stage. The pupils, teachers and parents have put up with intolerable facilities. It is grossly unfair of the Department to allow this situation to drag on and the Minister for Education and Science should reassure people locally and advance this project as an urgent priority.

There is no need to elaborate further about the unsatisfactory existing structure, which dates back to 1909, as the Minister and her officials are fully aware of this. Since 1998 the Department has been aware of the necessity of a new school. It is imperative the Minister include it in the 2005 multi-annual school building programme as it was promised serious consideration in a previous response I received in the Seanad. I look forward to a positive reply that will give reassurance to the pupils, parents and teachers that progress has been made in advancing work on Kilfinane primary school.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I thank Senator Finucane for raising this matter as it provides me with an opportunity to outline to the House the action planned by the Department of Education and Science to progress the application for capital funding for Kilfinane national school. Modernising facilities in our 3,200 primary and 750 post-primary schools is not an easy task given the legacy of decades of under-investment in this area as well as the need to respond to emerging needs in areas of rapid population growth. Nonetheless, since taking office, the Government has shown a sincere determination to improve the condition of our school buildings and to ensure appropriate facilities are in place to enable the implementation of a broad and balanced curriculum.

We have progressively increased funding for the school modernisation programme in recent years to achieve our goal with an aggregate total of almost €2 billion allocated for this purpose since 1998, the largest investment programme in the history of the State. Since the beginning of this year the Minister for Education and Science has made a number of announcements relating to the schools building and modernisation programme. This year, €270 million will be allocated to primary schools and €223 million to post-primary schools for building works. The Minister recently announced an investment of €555 million over the next four years in projects to be delivered by public private partnerships.

The Department is well aware of the accommodation needs of Kilfinane national school and I am pleased to confirm that the school was successful in securing funding under the summer works scheme 2005 to carry out roof works to part of the school building, at a cost of approximately €12,000, pending delivery of its major building project. The school had an enrolment of 130 pupils in September 2004 and staffing of a principal, four mainstream teachers, a permanent resource teacher and a shared learning support

teacher, both of whom were based in the school. A downward trend in enrolment in recent years necessitated a review of enrolment and demographic trends earlier this year so as to ensure that any capital funding being provided is appropriate to meet the school's long-term needs. That review has been completed and it has been agreed with the school authorities that the long-term accommodation needs of the school will be met by providing for a principal and five mainstream teachers along with appropriate ancillary posts.

The original school, which was constructed in 1909, is subject to a preservation order and a feasibility study was conducted on foot of the school's application for capital grant aid towards the provision of an extension. This study considered whether it would be preferable to upgrade and extend the existing building or to provide a new school on a greenfield site. The feasibility study outlined a number of problems associated with remaining on the present site, including the limited expansion possibilities, and the fact that any planning application would have to reflect the listed status of the building.

A decision was taken by the Department that it would be best to address the needs of the school by way of a new school. The OPW, which acts on behalf of the Department of Education and Science in site acquisitions, was requested to commence negotiations for purchase of the site but the diocese decided to purchase the site for the school. I understand the diocese has now purchased the site.

Now that the long-term needs are identified and a site is available, the next step is the commencement of architectural planning for a new school building. In that respect, the Minister for Education and Science has made a number of announcements regarding the 2005 school building programme since the beginning of the year and will be making further announcements on projects which will progress, on a phased basis, into the architectural planning process in the next 12 to 15 months. The proposed project at Kilfinane national school will be considered in this context. I thank Senator Finucane once again for raising this matter on the Adjournment.

Plant Diseases.

Mr. Coghlan: I welcome the Minister of State at the Department of Environment and Local Government, Deputy Batt O'Keeffe. I look forward to learning more from him than I can impart on this subject. *Phytophthora Ramorum* is a deadly fungus, causing sudden death.

Mr. O'Toole: On a point of order, the Minister of State is from Cork so I ask Senator Coghlan to speak slowly.

Mr. Coghlan: From a discussion I had with him earlier I know the Minister of State is well aware of this matter and well briefed.

Mr. B. O'Keeffe: What was that?

Mr. Coghlan: It is a very aggressive plant disease and poses a serious threat. Sessile oaks are unique to Derrycunihy and Tomies as well as one or two other locations in Ireland. Thankfully this is a different type of oak to the turkey oak and others this disease wiped out in parts of California and other areas in the United States.

What precautionary measures has the Minister planned to ensure the disease does not spread? Our oak trees are vital and the Minister of State is aware of the beauty of Derrycunihy, Tomies and the heart of Killarney National Park. What species, if any, act as a host plant? We are fortunate it has only attacked rhododendron. Over the past few years people have tried to wipe out this invasive disease, which is a danger. Are there any theories as to why only 25 rhododendron bushes have been affected so far? I am slightly suspicious about how it got in there but I dare not say anything further. Perhaps the Minister of State can advise on the plant that acts as a host plant and the precautionary measures envisaged to ensure it does not spread.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): I thank Senator Coghlan for raising this important matter. There have been a number of findings of the fungus *Phytophthora Ramorum*, which can cause damage to a range of plant species of rhododendron in Killarney National Park. The disease does not affect humans. Since first reported in the United States in the mid-1990s, a wide variety of tree and plant species have been damaged or killed in California and other parts of the western United States by a disease that has become commonly known as sudden oak death. The disease was caused by this fungus.

The situation is closely monitored by the EU Commission's plant health committee, on which Ireland is represented by the Department of Agriculture and Food. This fungus is regulated under EU Commission decisions that have been transposed into Irish law under SI 578 of 2004, made by the Minister for Agriculture and Food. These regulations provide for import controls into the EU on susceptible plants and wood from areas in the USA where the disease is known to occur, controls on the movement of certain susceptible plants within the EU and provision for surveys to be carried out in all member states.

The fungus has been found in recent years in many EU member states including Ireland. The vast majority of the findings have been on plants of the rhododendron and viburnum species. There have also been a number of findings on various tree species in Great Britain and the

Netherlands. However, I am happy to inform Senator Coghlan that no tree species has yet been affected in Killarney National Park.

During the course of the 2005 national survey, carried out with the co-operation of the National Parks and Wildlife Service of my Department, the Department of Agriculture and Food identified approximately 25 infected rhododendron plants in Killarney National Park. Significantly, worldwide, there have been no findings to date of this fungus on sessile oak or pedunculate oak, which are important native tree species in Ireland and a key component of the Killarney National Park oak woodlands referred to by the Senator.

Under the Department of Agriculture and Food regulations, measures are now being taken by that Department and my Department's National Parks and Wildlife Service to control and prevent the spread of the disease in Killarney National Park. These measures include: the destruction of all known infected material; a prohibition on the removal of susceptible plants or plant products, in particular rhododendron, from the confines of Killarney National Park; and the erection of signage advising people not to remove any plant material, especially rhododendron, from the national park.

The National Parks and Wildlife Service of my Department has moved swiftly to implement all of these measures of control and prevention of the disease in Killarney National Park. In particular, it has started clearing the infected rhododendron plants as prescribed by the Department of Agriculture and Food. This is a slow process. However, we must take great care to ensure that it is done properly and that any threat to the important oak woodlands of Killarney National Park is avoided.

The Senator will be aware that my Department has placed a high priority on eliminating rhododendron from Killarney National Park, which is a long-term project. This year alone €500,000 has been provided for this purpose, with similar amounts to be made available in the years to come. I assure the Senator that all necessary steps are being taken to eliminate the disease within the national park and to protect its important oak woodlands.

Fisheries Protection.

Mr. O'Toole: I thank the Minister, Deputy O'Donoghue, for coming to the House this evening. I am aware the Minister was under pressure to get here and I appreciate his attendance. This matter concerns the Minister's own constituency and is one for which responsibility lies in areas other than his Department and outside of Government also but what we need is a little moral support. I wish to share a minute of my time with Senator Dardis.

Acting Chairman (Mr. Coghlan): Is that agreed? Agreed.

Mr. O'Toole: Just as one comes over Conor Pass, with one's back to Dingle, one can look down over the beautiful valley ahead. On a good day it is possible to see all the way to Galway and on a bad day one can even see Kerry Head. Looking behind one can see the Minister's part of the world and just below that is a beautiful river and a set of lakes. In fact, there are nine lakes and six miles of river along the whole valley. Clahane and the area around the river has a population of approximately 300 people.

The Minister will find the history of the area evocative also. This land should be expropriated by the State. It was owned by the State but, unfortunately, the Land Commission sold it for £1,000 in 1928 and gave it back to Captain Paget at the time. It moved through the family of Lord Harrington and the Earl of Harrington and was bought by a Luxembourg family in the past 20 years. That beautiful area is now for sale. The fishing rights for the six miles of river and the eight lakes are available now for approximately €2.5 million. It is a huge amount of money but as the Minister and I know, this is a community where there is no investment or development. There is no possibility of a factory being built or the development of new undertakings. The development of the angling industry in this area would bring with it various concomitant extras such as gillying, accommodation and food outlets. This is an eco-friendly issue but it is also about community development. I am aware the Minister has taken a strong hand in trying to encourage the south-west fisheries board to take an interest in this. I understand it is prepared to take a decision in principle to support it, and I also understand that Údarás na Gaeltachta is prepared to consider an investment therein.

I ask the Minister to give ministerial support for the idea of a public private partnership. This is not a case of looking for money for nothing. A solid business plan has been drawn up, which I understand has been sent to the Minister's office, outlining how this can work as a viable industry that will give new life to the area and hope to the people living in the area. It will allow a very eco-friendly business to develop. The area was given an EU award in recent years as a special place of natural beauty.

We must not allow this land to fall back into private hands again. I ask that we facilitate its being given back to the people by way of some of the organs of State investing in it. It is an asset which the State can sell on or whatever in the future. In the meantime, local people in that small community have given a commitment to invest €500,000, and I understand there is a possibility of that figure increasing. It is also my understanding that banks are prepared to come up with a certain amount of money after that. There are four ways this can be approached, therefore — through the banks, the local people, Údarás na Gaeltachta and the fisheries board. In terms of the Department examining this issue, is it possible

to develop the sport of angling in that area, which needs an investment also?

As a former Minister for Justice, Equality and Law Reform, I remind the Minister that this is one of the few areas where fishing can be made accessible to people with mobility problems. It is a flat, easily accessible area. There is a road running alongside the river and much can be done in that area.

I hope to get a positive response from the Minister. I did not come into the House tonight expecting him to write a cheque but I would like him to use his influence with his Cabinet colleagues and in other areas to make this happen.

Mr. Dardis: I strongly support what Senator O'Toole said. I also support the local Comhar-chumann in its efforts to have this fishery returned to community ownership. We debated salmon angling in the House earlier this afternoon. One of the great lessons learned from international practice is that if rivers are vested in their local communities, many of the attendant problems which have bedevilled game fishing rivers in this country, such as poaching and so on, are eliminated. I am aware of a very successful project on the Kerry Blackwater, near Kenmare, where I fish, but this is something even beyond that because it is vested in community ownership. From that point of view alone, it could serve as a flagship for the entire country with regard to the way a fishery could be managed and brought into public ownership.

I am impressed by the fact that this proposal has all been very well costed. A full feasibility study has been carried out. All aspects have been thoroughly studied by the promoters, so it is not a case of flying in the dark. They have produced a very worthwhile plan. I know from my experience with my local angling club that we have been quite successful in drawing down funds from the Centre for Environmental Living and Training, CELT, as well as from the fisheries boards, which were very helpful to us in developing the river banks and installing stiles and facilities for anglers. In every respect, this should be supported, and I hope the Minister can look favourably on what has been said this evening.

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I thank Senators Dardis and O'Toole for speaking on this issue. I acknowledge its importance to those living in the Clahane area of County Kerry. Matters relating to the management and development of fisheries and angling facilities are not the responsibility of my Department, since they come under the responsibility of my colleague, the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, and the various fisheries boards.

Regarding tourism, angling is Ireland's third-biggest special interest product, and it is particularly important since it provides essential tourism revenue to less-visited parts of the country. It

[Mr. O'Donoghue.]

also provides an especially high level of repeat business, some 59%, compared with an average of 39% for all holiday-makers, meaning that it is a less expensive segment to target while providing a valuable opportunity for positive, word of mouth promotion.

Overseas visitors engaged in angling in Ireland increased from 83,000 in 2003 to 93,000 in 2004, spending an estimated €65.8 million that year. The biggest increase came from Britain, whose numbers increased from 48,000 in 2003 to 58,000 in 2004. While the number of angling visitors has recovered dramatically, from 55,000 in 2002, they are still behind the peak figure of 173,000, recorded in 1999.

Fáilte Ireland, in co-operation with Tourism Ireland, is involved in marketing the angling product in our main visitor markets. To assess the market potential and ensure that the product offering is suitable to meet consumer demands, Fáilte Ireland, in consultation with industry stakeholders, is currently engaged in developing a new strategy for the angling product. The strategy development is nearing completion and will be ready in time to feed into the 2006 angling marketing plans. The new strategy will segment the overseas market better, allowing for more targeted campaigns, highlighting quality angling to consumers that will result in actual bookings.

I am aware of the considerable local interest in acquiring the Owenmore fishery and was pleased to take up the matter on behalf of residents with the Minister of State at the Department of Communications, Marine and Natural Resources, Deputy Gallagher. I was disappointed to learn that neither funding nor a grant scheme is available from which either the Department or the South Western Regional Fisheries Board could consider providing assistance towards purchase of the fishery. The South Western Regional Fisheries Board is available to provide advice to anyone developing the fishery, including specific fishing beats in the region.

However, I have been informed by my colleague, the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, that, while it is not his Department's policy to make such acquisitions, he understands from Údarás na Gaeltachta that, following representations from the local community and co-operative society, Comharchumann Forbartha an Leith-Triúigh has been invited to submit any development plans that it may have for the Owenmore fishery to an tÚdarás. An tÚdarás has also agreed to provide

assistance to enable the preparation of a business plan regarding the purchase and development of the fishery and the sourcing of investment for such a purchase.

Mr. O'Toole: I thank the Minister for attending the House to deal with this matter. This is a great opportunity to develop nine or ten months of real tourism benefit for the area, which does not currently have that. It brings tourists in over the hill from Dingle and out from Tralee. It gives great added benefit to hotels in the area. Can that be developed with State aid, apart from those areas that I mentioned? I am not putting the Minister under the cosh. I could have asked another Minister to attend, but I believe that the Minister understands the area better than most; he has spoken to other Ministers. Is he offering any guidance on tourism at this stage, apart from what he has said?

Mr. O'Donoghue: Regrettably, there is no budget in my Department that might allow us to invest directly in such a product. There is no precedent for it and nothing in any Vote in my Department's Estimates that would legally allow me to sanction funds for the purchase of the fishery. Unfortunately, that rules out a role of the Department in that aspect. Unquestionably, the Department of Communications, Marine and Natural Resources comes into play through the Central Fisheries Board and the South Western Regional Fisheries Board. They have been known to purchase fisheries, but they say that they do not have the resources to enable them to become involved with this fishery. In any event, they also state that, from their research and investigations, it is for various reasons not a fishery that would be of interest to them.

That leaves us with Údarás na Gaeltachta, since the area concerned is in the Gaeltacht. Therefore, the very best hope of making the acquisition is through Údarás na Gaeltachta, which is, after all, concerned with the development of Gaeltacht regions. I must be honest and say that it has been relatively sympathetic in this respect, as has the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív. I am grateful to him for his interest. It remains to be seen whether an tÚdarás will be able to provide tangible assistance towards acquiring the fishery. However, since all other avenues are closed, it represents the best hope.

The Seanad adjourned at 7.45 p.m. until 10.30 a.m. on Thursday, 20 October 2005.