

SEANAD ÉIREANN

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

[illegible]

SEANAD ÉIREANN

Dé Céadaoin, 21 Meitheamh 2006.
Wednesday, 21 June 2006.

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

Paidir.
Prayer.

Business of Seanad.

An Cathaoirleach: There are no matters on the Adjournment today, but I remind Senators of the provision under Standing Order 29, which states that a Senator must give notice in writing of any matter that he or she wishes to raise on the Adjournment before 3 p.m. the previous day. The practice has developed that some Senators phone the text of the motion to the Seanad Office. However, because of the difficulties thus created, I will not accept any more matters on the Adjournment unless they are in written or electronic form. I would like the Whips to convey that ruling to their respective Senators.

Order of Business.

Ms O'Rourke: The Order of Business is Nos. 1 to 3, inclusive, and No. 24, motion 21. No. 1, statements on adult and further education, to be taken on the conclusion of the Order of Business and to conclude not later than 1.30 p.m., spokespersons will have 12 minutes and other Senators eight minutes, and the Minister to be called upon to reply not later than five minutes before conclusion of the statements; No. 2, the European Communities (Amendment) Bill 2006 — Committee and Remaining Stages, to be taken at 2.30 p.m. and to conclude not later than 3.30 p.m.; No. 3, the National Economic and Social Development Office Bill 2002 — Report and Final Stages, to be taken at 3.30 p.m. and to conclude not later than 5 p.m.; and No. 24, motion 21, to be taken from 5 p.m. until 7 p.m. There will be a sos from 1.30 p.m. to 2.30 p.m.

Mr. Finucane: In 1997, when the present Administration took office, there was concern regarding the escalating cost of houses. At that time, Professor Bacon was commissioned to produce a special report. His objective was to examine ways to reduce the cost of housing. It is shocking to read that in ten years, house prices have risen by an average of 270%, to more than three times their level in 1996. What action do

the Government and the Minister for the Environment, Heritage and Local Government intend taking? Will they reconsider the situation to see whether something might be done regarding escalating house prices, which are putting homes beyond the reach of young people, in particular, who wish to get onto the housing ladder?

It is shocking to think that in 1996 house prices in Dublin were running at an average of only €10,000 above those in the countryside. Now they are €130,000 higher, and one sees the daunting task faced by anyone intending to purchase a house in the Dublin area. The Minister for the Environment, Heritage and Local Government has been extremely vocal on many issues. I would welcome his presence in the House to see how he will address the situation. Does the Government have any remedial action planned to stem the rise in house prices?

Since 1997, there have also been 109 murders involving guns; I have left out those not involving firearms. Already this year, there have been 13 such murders and last year there were 21. Inside and outside the House, the Minister for Justice, Equality and Law Reform stated quite openly that the phenomenon was the sting of a dying wasp. I would like to know what has happened to that sting, since we have a black market in drugs estimated to be worth €1 billion and an escalating series of crimes, particularly murders involving firearms.

Most frightening in the context of 109 gun murders over those ten years is that the conviction rate is one in six, since only approximately 18 cases have been solved. I recognise that in gangland circles, a vow of *omerta* probably applies. In such a context, it is probably difficult to track down people involved in such crimes. However, it appears that any time we have a murder, the Minister calls in the Garda Commissioner and there is a knee-jerk reaction. It is almost as if a sticking plaster were being applied for a period. The people want effective strategies to counteract this situation. It is not good enough for the Taoiseach to say, as he did in the other House yesterday, that Ireland is not unlike other European countries because the regimes for dealing with this problem in these countries are far more successful. We must bring this problem under control because it conveys a very negative image of this country. It appears that the drugs lords are smiling at the degree of inaction that exists in respect of taking them out of circulation.

Mr. O'Toole: I believe everyone on all sides of this House would sympathise with the points made by Senator Finucane about house prices. We have all witnessed the difficulties in buying houses encountered by family members and their children and friends. However, the harsh reality that Irish people spend more time exulting in the fact that their houses are now worth so much money means that there is not, and never will be, the political will to keep house prices down,

[Mr. O'Toole.]

despite arguments to the contrary. This state of affairs is appalling but no Government will take the risk of offending people by controlling house prices. I am unsure as to whether Senator Finucane called for price controls. Those in the middle class would be less than impressed by any attempt to hold down the price of their property. This is all they talk about. I do not know the answer to this problem. I strongly agree with the point Senator Finucane rightly and clearly made and it would be worthwhile having a debate on this matter. Such a debate would include contributions from people on all sides of the House on how to address this issue. The Taoiseach argued three years ago that development land is held by a few dozen very wealthy individuals with options in land all over Dublin and that this keeps house prices high because it interferes with the market. I do not know the answer to this problem but I would certainly welcome a debate on it. The point raised by Senator Finucane is very important.

I recently met with the Communications Workers Union to discuss the register of electors. This issue has been discussed on a number of occasions in this House. People from all sides are very concerned about the fact that the register is out of date and unreliable. People change addresses, which harks back to the issue of housing, or change jobs. I am aware that the Government is considering using census enumerators to update the register. I see nothing wrong with this proposal but the people who could carry out this task better than any other group are postal workers, who call to houses every day. Postmen know who lives in a particular house and could update the register annually. They would be prepared to negotiate some method of annually updating the register with the Government. I urge the Government to consider this option and I urge the Leader to raise this question with the appropriate Minister to see whether he would be interested in entering into talks with the Communications Workers Union with a view to using postal staff, particularly those who deliver post on a daily basis, to update the register.

Mr. Ryan: In respect of the aggrandisement of people by inflated house prices, I do not see the same enthusiasm for escalating house prices among the middle class perceived by Senator O'Toole.

Mr. O'Toole: Senator Ryan merely has to look outside his front door.

An Cathaoirleach: Order, please. Senator Ryan, without interruption.

Mr. Ryan: I will not push the geographical issue too far. I could refer to north county Dublin and point out that very strange things happen there as well but I will not.

An Cathaoirleach: Senator Ryan must confine himself to the Order of Business.

Mr. Norris: Do not get snotty about Montenotte.

Mr. Ryan: Senators should leave my address out of it. Does the Leader know whether the people involved in the building industry who made a €25 million settlement to the Revenue Commissioners will still be honoured guests in the Fianna Fáil tent at the Galway races?

An Cathaoirleach: That matter does not arise on the Order of Business.

Mr. Ryan: The level of profitability in the building industry is a matter for this House.

An Cathaoirleach: I am aware that it is a matter of interest but the Leader cannot deal with internal Fianna Fáil business.

Mr. Ryan: A statement must be made on this matter.

Ms O'Rourke: I will not be in the tent.

An Cathaoirleach: Neither will I.

Mr. Ryan: This House desperately needs a swift debate on two issues. The first is the *de facto* tolerance of the current multilayered assault on the Palestinian people. Three children were killed this morning by rockets fired by the Israeli army. The Israelis claimed they were trying to kill two people who are part of the same political organisation as the President of the Palestinian Authority, as opposed to the Palestinian Government. The Israelis are now assaulting both the President and Hamas. The EU and Ireland are effectively sitting back and saying that Palestinian children do not count, while Israeli children do. This amounts to institutionalised racism in which Ireland is complicit.

Mr. Norris: Hear, hear.

Mr. Ryan: The lives of Palestinian children are as precious as those of Israeli children. Until we develop an even-handed policy which tells all those who choose to kill children, either deliberately or through irresponsible military activity, that the killing of children is a profound crime against humanity and that we will not tolerate the commission of such crime by any side in this conflict, we are essentially complicit in a *de facto* racist distinction between the value of Palestinian lives and that of Israeli lives. We are part of it because we have tolerated the EU's assault on the elected Government in Palestine. A debate on this issue is so badly needed that I am not prepared to make the usual concession of waiting until the autumn. We need to hear the Minister

for Foreign Affairs explain how we can justify the present situation.

A report in the health supplement of yesterday's edition of *The Irish Times* referred to the putting on hold of several hospital developments, including the upgrade of the hospital in Mullingar which has been on the cards for many years. The reason given for postponing many of these developments was that the Department of Finance wanted to see a full business case to establish whether the developments represented better value for money than securing the required capacity through the private sector. I heard the Tánaiste and Minister for Health and Children categorically deny in this House that there was a Government policy to privatise health services. However, the Health Service Executive is now being directed to ensure that such projects are only undertaken by the public sector if the private sector cannot do it. This effectively says that the preferred option for health provision is the private sector. I am seeking a debate on this issue because four major hospital developments, including a dialysis unit in Beaumont Hospital which would provide proper dialysis services, are now postponed indefinitely because the Department of Finance wants to discover if they could be delivered via the private sector. These are all measures which have been announced by the Government and for which the Tánaiste has publicly claimed considerable credit but they are not being carried out because of an ideological determination to hand over the health service to the private sector without any evidence that it would be more effective. We urgently need a debate on this issue before the summer because by the autumn, this ideological drive to privatise the health service will be well nigh irreversible.

Mr. Morrissey: Later today, the Railway Procurement Agency will publish its annual accounts which will show glowing figures for passenger numbers and revenue generation for the Luas. This proves that people will flock to public transport when it is reliable, efficient, clean and regular. We must acknowledge and applaud success where it occurs.

Mr. Ryan: Hear, hear.

Mr. Morrissey: Failure occurs too often in our public transport system. At a time when Dublin Bus and Iarnród Éireann receive considerable subsidies — €260 million this year — from the Exchequer, we must ask why people do not flock to use buses and why Dublin Bus probably operates at a 22% load factor when people flock to the Luas. We need a debate to tease out the reasons behind the success of the LUAS.

Senators have spoken in this House about the housing crisis. The greatest leveller of the housing crisis is the supply of land. Some Senators served on Dublin County Council ten or 12 years ago when hard decisions had to be made about rezon-

ing land. Some of us are now being asked to account for our decisions in another location in this city. The real issue relates to those who sat on their hands and refused to take hard decisions and rezone land, including officials. Had those lands in Dublin been rezoned ten years ago, what would the current situation be, how far away from Dublin would people be living, what type of transport system would there be and how long would commute times be? Let us have a debate on this issue and on where the real criminals were ten years ago.

Mr. Callanan: Hear, hear.

Mr. Coghlan: I must refer again to the Great Southern Hotels paintings. We now know——

An Cathaoirleach: The Senator cannot raise this matter on the Order of Business every morning.

Mr. Coghlan: I do not.

An Cathaoirleach: The Senator raised it yesterday.

Mr. Coghlan: Perhaps I did not ask the right questions.

An Cathaoirleach: The Senator must have a bad memory if he believes he did not raise this matter yesterday. I ask the Senator to speak on another matter.

Mr. Coghlan: While the Acting Leader was well-intentioned and had his heart in the right place yesterday, we now believe that the hotel group intends to sell the paintings to the Dublin Airport Authority. How can such happen when we know that the State, through the Arts Council, assisted in the original purchase of the paintings? Such cannot be allowed to happen.

I support everything said by Senator Finucane on house prices, which are spiralling out of control. It is impossible for people to get on the property ladder.

Dr. Mansergh: Like many Members, I recently attended Professor Brendan Drumm's briefing on improving the public health service but I did not detect a single note about privatising it as alleged by Senator Ryan.

Mr. Ryan: The Senator would not have been told.

Ms O'Meara: What about co-location?

Dr. Mansergh: I share Senator Finucane's concern about the housing crisis and many remedies need to be discussed. The €100,000 difference in prices between houses in the Dublin area and those elsewhere underlines the importance of proceeding with the decentralisation programme.

[Dr. Mansergh.]

We need to gain proper political support for it across the spectrum and have one or two of the public sector unions co-operate a little more.

It is good to find a zero figure sum for a Vote in the Book of Estimates in the appropriate context, which is the case of the Luas. It is right to hold the Luas up as an example of effective and competent Government with a strategic grasp. Great credit is owed to the Leader, as the system is excellent. I frequently use it when I am in Dublin. Credit is also due to the Railway Procurement Agency.

Ms O'Rourke: I thank the Senator.

Mr. Feighan: What about the current Minister?

Visit of French Delegation.

An Cathaoirleach: Before I call the next speaker, I am sure Members will wish to join with me in welcoming a parliamentary delegation from France led by Mr. Yves Deniaud, chairman of the French-Irish Parliamentary Friendship Group. On my behalf and that of my colleagues in Seanad Éireann, I extend a warm welcome and sincere good wishes for a successful visit. I hope our guests will enjoy touring Ireland and will receive better weather than they have experienced here to date.

Order of Business (Resumed).

Mr. Norris: I share my colleagues' concerns about the extraordinary rise in house prices. There is a middle class investment in this matter and a paradox in that many people are quite pleased by the situation. The aeroplanes going to central, eastern and southern Europe are chock-a-block with Irish speculators who will make the situation just as bad in Budapest and elsewhere as it is here. We must bear this in mind.

Mr. O'Toole: Hear, hear.

Mr. Dardis: Cyprus.

Mr. Norris: Absolutely. The Senator is 100% correct. It is wonderful that he is awake. He must visit this side of the House. We have often exchanged pleasantries across the floor of the House.

I compliment Senator Morrissey on his courage in suggesting that we should have a debate on housing and the relevance of councillors and the planning situation. The Senator is a brave man, but I guarantee that he will not meet with unqualified approval from that side of the House or even certain sections on this side. I will not hold my breath for that debate, but I will support the Senator when he calls for it.

I will also support my colleague, Senator Ryan, who raised the issue of the situation in the Middle East. I would welcome a debate on, for example,

the implications of the EU-US summit currently taking place and the statements of representatives of the Government on this matter. In particular, I wish to remark on how Mr. Bruton appears to have caught the American infection, that is, his linguistic system has suffered some corruption.

An Cathaoirleach: The Senator should not——

Mr. Norris: I am asking a question. On the wireless this morning, Mr. Bruton mentioned combatants taken in battle in reference to the inmates of the Guantanamo Bay concentration camp. Will the Leader contact the Department of Foreign Affairs and ask our representative, Mr. Bruton, to explain to the people in which battle a taxi driver was taken off a street in Afghanistan? He should let us know what these battles are. Let us start talking realistically and have some real language.

Mr. Ryan: Hear, hear.

Mr. Norris: Senator Ryan is fully correct in respect of what may be termed asymmetrical diplomacy in the Middle East. Yesterday, three children were massacred, but we have done nothing. We have never operated the external association agreement, including its human rights protocols, in its entirety.

I welcome that the Government, through the Minister for Education and Science, has indicated there will be consultation with young people and their representatives on the age of sexual consent. This is an important matter that should be discussed calmly and clearly. I agree with *The Irish Times*, which today stated "Criminalising sexual experimentation by young people will not however, ensure abstinence. And it is wrong for the Legislature to create a criminal offence and then expect the law officers of the State to ignore it." *The Irish Times* is completely right, as this is a tangled mess. As elected representatives, we should try to untangle it.

Mr. Brennan: Recently, much has been said about the importance of the national census. Will the Leader discuss with the appropriate authorities the issue of the non-return of 300,000 forms where enumerators could not gain admittance to households or collect forms? What action has been proposed regarding the missing data?

Mr. Bannon: We need the truth in respect of the Mullingar General Hospital, which services counties Longford and Westmeath. This issue has been prolonged time and again and the debacle that is the hospital's future has lasted for almost two decades. Ten or 11 years ago, we were promised that the hospital would be upgraded to a standard acceptable by the people of those counties. When I was a member of the Midland Health

Board almost a decade ago, £60 million was ring-fenced for the development of the hospital's facilities, but this figure was recently reduced to €14 million.

The people of counties Longford and Westmeath want the truth concerning the future of their hospital. Progressive and ambitious young doctors are leaving the area to advance their careers, as they have not been provided with enough job security to remain in Mullingar. This is a serious matter for the people in the midlands and elsewhere who access the hospital.

On the cost of housing, it is important to free up zoned land around our towns and villages. Such would be necessary to provide additional houses for young people who want to get on the first rung of the housing ladder. Nationally, we are facing a situation where, ten years ago, land was zoned by local authorities and large developers purchased it, but they have not yet started developing it.

Despite what was said by the Minister for the Environment, Heritage and Local Government on the change in planning guidelines, we need more flexibility for planning in rural areas. Those changes have not happened.

An Cathaoirleach: There will be a debate on the subject, Senator.

Mr. Bannon: Very little has happened in rural Ireland and we need more flexibility.

Mr. Leyden: Senator Bannon will be delighted that, due to the work of the Government—

An Cathaoirleach: On the Order of Business, Senator.

Mr. Leyden: —a live feed of this sitting is being transmitted to all local radio stations. I am sure Shannonside Radio and Northern Sound are delighted because, due to the work of the Joint Committee on Communications, Marine and Natural Resources, we are able to make direct contact with the public. I would like terrestrial stations, such as RTE, TG4 or Sky TV to provide television coverage of both Houses of the Oireachtas. I am a member of the Joint Committee on Communications, Marine and Natural Resources and we are working towards that end. I call for a debate, involving the appropriate Minister and the Minister for Finance, because there are financial implications, on full-time broadcasting of both Houses of the Oireachtas and all the committees, throughout the day, so that people are made aware of the work being done. They are already aware of our work from the worldwide web and Senator Norris will be delighted that his words were heard throughout the world.

Mr. Ryan: The whole world is watching.

Mr. Norris: Why are they not watching Senator Leyden?

Mr. Leyden: The Leader expressed her personal desire that proceedings in this House be broadcast live and I hope it will come to fruition.

I join other Senators in condemnation of the Israeli Government for the slaughter of the innocents in Gaza, where three children have been murdered in the past 24 hours and a family was wiped out while spending a day at the beach. Someone must shout "Stop" to these acts. I ask the Leader of the House to resume the debate on No. 16, statements on the current situation in the Middle East, before the summer recess. We are standing idly by as the Israelis wipe out the Palestinians and it is about time we, as an independent republic, took a more proactive lead in the matter.

Mr. Ryan: Hear, hear.

Ms O'Meara: I ask the Leader to arrange a debate on health issues before the House adjourns for the summer. Health is the most important issue we can debate but it includes so many facets it is difficult to pin down. The House should review two reports published recently, though one of them not in full, namely, the Tribal Secta reports on the delivery of hospital services in the regions. Some of the material was reported by *The Irish Times* but not in a coherent fashion. I believe the findings of the reports have been suppressed because they do not chime with current Government policy, particular on the delivery of acute services. That policy, which is very clear from the report published on the north east last week and on which I called for an urgent debate, is to centralise services and downgrade smaller hospitals. The report reveals that large hospitals, rather than smaller ones, will deliver acute emergency services, which was confirmed by Professor Drumm at a briefing with Oireachtas Members this morning. If that sounds familiar to Senators I remind them that this was the policy recommended in the Hanly report and the Fitzgerald report and is certainly the policy of the current Government. It will mean that 26 general hospitals around the country will lose vital emergency services and it must be debated in this House.

Labhrás Ó Murchú: All human life is sacrosanct and such a belief is the bedrock of civilised society. Any deviation from that position opens the floodgates for unspeakable atrocities. Murder is murder, even if it carries an official tag.

Mr. Ryan: Hear, hear.

Labhrás Ó Murchú: What happened to the three Palestinian children was official murder. If we do not take a stand on this, we undermine society itself. The danger is that remaining silent

[Labhrás Ó Murchú.]

will be taken as acquiescence in such criminality. It is absolutely vital for all civilised people, particularly those in the democratic sphere, to stand up and be counted. We can be certain that tomorrow or the day after exactly the same thing will happen again. Young children will have their lives snuffed out at the whim of some official or government. Will we, as a Government which has been so lucky, stand silent and allow that to continue?

I am not happy with the current intervention in the Middle East because it suggests that a wedge is being driven between sections of the Palestinian people which has all the ingredients of a potential civil war. Is that being done on purpose?

Mr. Norris: Yes, of course it is.

Labhrás Ó Murchú: Are people endeavouring to create such a position? If that is true then the whole world will suffer as a result.

Ms Terry: I wish to raise the level of customs duty charged on gifts coming into Ireland from the US. I understand why duty is charged on goods bought by an Irish person from the US, but it is unacceptable for somebody in the US who sends a gift with a value of in excess of €45 to a family member in Ireland to be so charged. What can a person buy for €45 today? I bought clothes for my grandchildren in the US and posted them. They were the wrong size so they were returned to me to replace with clothes of the right size. They were valued at €200 but even though they were marked as gifts I was charged more than €50 to accept the returned goods. Customs officials were not to know that I had bought them in Ireland, sent them to the US and that they were returned, but I was told that any gift with a value of over €45 that comes into Ireland from the US is subject to customs duties. Many of us have friends and relatives living in the US who wish to send gifts to people in Ireland and do not know that customs duties will be levied on items over the value of €45. The Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, needs to review that situation. I do not know if the same rules apply to gifts from other countries — they probably do — but having endured the experience of receiving goods from the US I feel the threshold must be increased to an acceptable level.

Mr. Hanafin: I support the call of Senator O'Toole for the Government to consider using the postal service, working with the Communications Workers Union, to ensure the electoral register is properly maintained. It is obvious that postal workers could do such a job as an addendum to their current work and they should, of course, be paid appropriately. We could also use technology to process details of returned mailsh-

ots. They could be sent to the franchise section of each council for somebody to check a person's details. It is a targeted approach to ensure the electoral register is correct.

I also support those Senators who raised the situation in Gaza, in particular the terrible murder of three children. I am a supporter of Israel and its right to peacefully survive and thrive, and will continue to be so. Israel was born out of the camps of Europe, Bergen-Belsen, Auschwitz, Ravensbrück and Dachau, when people who had no other place to go congregated in Israel and formed a new state with a parliamentary democracy. Given such a history surely they realise it is not those who inflict the most but those who suffer the most who eventually prevail.

Mr. Feighan: I support the call for a debate on the escalating costs of housing. Some issues have been resolved and the affordable housing scheme and the facility for councils to acquire up to 20% of suitable land have certainly helped. However, we must examine the role of health boards. It is now more lucrative for an investor to rent an apartment or a house to somebody on welfare than to a professional couple. The health boards are driving up the cost of housing and while it is not the main driver, it is part of the problem and must be investigated. The health boards and community welfare officers are dishing out vast amounts of money which is contributing to the escalation in house prices.

I concur with Senators who criticised what happened to the three Palestinian children. This House must send out a message that murder is murder. There have been many car and suicide bombs in Iraq resulting in horrific casualties. It is very worrying that one of Saddam Hussein's defence lawyers was abducted and murdered. There is a worry that there is a death squad in the interior Ministry. If that is the case, it is wrong. This House should send out a message that whatever happens in Iraq, members of the government there should not be involved in the establishment of a death squad. This is a very serious allegation and the House should ask the Minister for Foreign Affairs to investigate it and find out what exactly is happening.

Mr. Mooney: I share the condemnation of the murder of the innocent children. As seems to have been indicated, we need to strike a balance. We must remember the Palestinian Government is dedicated to the obliteration of the state of Israel which is, after all, a democratic state in an oasis of totalitarian regimes.

Mr. Ryan: That is a gross oversimplification.

Mr. Mooney: The Government, through the EU, is correct in supporting the efforts of President Abbas who, as the House will know, is about to embark on a referendum to establish statehood.

We should also be aware that Ireland has a very proud role in supporting the Palestinian cause going back as far as the late Brian Lenihan who, as Minister for Foreign Affairs, broke away from the European consensus in calling for the establishment of a Palestinian state when it was not the popular thing to do. At the same time, this Government has always taken a very even-handed approach. Such an approach is even more important in the context of the current crisis because while we are now talking about the last atrocity, horrible and all as it is, it is inevitable that Hamas will strike against innocent civilians in Israel.

(Interruptions).

An Cathaoirleach: The Senator's point has been adequately made. We cannot debate it.

Mr. Mooney: I support Senator Leyden's call for the resumption of statements on Palestine. As some Senators will know, this House has a long tradition of debating Palestine and the Middle East on a regular basis. It is incumbent on the Leader to ensure there is regular debate on the Middle East so that this House can put forward its point of view because the Irish position is a credible one in both Israel and Palestine.

Mr. Bradford: I support the call for a fuller debate on the Middle East peace process. Since there are so many issues which need to be addressed during that debate, it should take place at the earliest possible opportunity. One or two colleagues raised the issue of the ongoing carnage in Iraq. Yesterday, as a member of the Oireachtas Joint Committee on Foreign Affairs, I was very interested to hear from elected Iraqi parliamentarians because we hear all sorts of comments from various commentators on the situation in Iraq. The Iraqi people have democratically elected a parliament and some of the parliamentarians from across the political spectrum in Iraq met us yesterday. They are genuinely trying to chart the way forward for their people and country and they need our full support and understanding. I look forward to a broader debate on the issue.

I refer to the plan by the Minister for Justice, Equality and Law Reform to build a new high security prison on Spike Island. This is the cause of grave concern in the locality. The local community is not concerned about the building of a new prison and has suggested other local alternatives but it is concerned about the plan to build a bridge to the island and of ruining the island which is a jewel of Cork Harbour. The plan is strongly opposed in the Cobh and east Cork area. Many people in Cobh believe Spike Island should be declared a national heritage site because of its history and tradition. The last thing we want is the building of a new high security prison on the island. Will the Leader ask the Minister to come

to the House at the earliest possible opportunity to debate this plan? Apparently, it is part of his overall prisons policy but deep reflection is a required and, hopefully, a reversal of policy.

Mr. J. Walsh: I endorse what Senator Terry said on the duty free limit. The limit of €175, whether for parcel post or for somebody coming through a duty free shop, is far too low. In this day and age, it should be increased to at least a four figure sum.

Will the Leader arrange a debate on the ongoing tribunals and, in particular, the need to refocus and perhaps channel some of the remaining modules through commissions of investigation which would be far more expeditious and fair? When the Leader is arranging the debate on Gaza, will she also include the recent atrocity at Al-Hadithah? Such appalling war crimes must be debated and exposed. In many ways, this underscores the correctness of the views expressed by President Chirac and the French Government at the outset of the invasion of Iraq.

Ms O'Rourke: Senator Finucane, the acting Leader of the Opposition, raised the issue of the cost of housing and asked if there was a way forward. He spoke about the study which was conducted and what has arisen from it. He also raised the issue of the gun murders, which are horrific. Every morning when one wakes up, one hears of more murders. We know the *omerta* principle applies within the circle of those engaged in crime. Since the 1990s, as a result of murders and the investigation of crimes, the biggies were taken out. However, now the smaller players have become the biggies, so the cycle continues. It is quite frightening. Hopefully, the Criminal Justice Bill will be taken in the House before the end of the session, so we will get a chance to debate those issues.

Senator O'Toole pointed out the contradictions in housing. He is right there is exultation over the price of houses among those living in expensive ones. However, as somebody said to me, that is all very well but one cannot realise their value since one must have a roof over one's head. I am talking about people with large houses.

The Senator also spoke about the electoral register and the Communications Workers Union being willing to play a role in correcting the electoral register following negotiations. My postman changes every three months so I do not know what good that would be. Postmen are moved about——

Mr. O'Toole: They call to every house every day.

Ms O'Rourke: Yes.

Mr. O'Toole: They know who lives in every house.

Ms O'Rourke: In the days when postmen stayed a while on one's beat, they knew people. People would often talk about who had moved into such a house and so on. Postmen have on the ground knowledge and I am sure it is a suggestion which could be worked through. Senator Hanafin concurred with that suggestion.

Senator Ryan asked who might be in the Fianna Fáil tent at the Galway races. I will not be; I have never gone to them.

Mr. Ryan: I know that. The Leader is a woman of great discretion.

Ms O'Rourke: I am not interested in horses or in those who go to watch them.

An Cathaoirleach: That is not relevant to the Order of Business.

Ms O'Rourke: Is it not? I believe it is highly entertaining.

Mr. J. Walsh: We do not have printing machines.

An Cathaoirleach: The Leader to reply on the Order of Business.

Ms O'Rourke: Those two gentlemen paid their dues.

Mr. Ryan: When they were caught. The alternative was to go to jail so they had to pay.

An Cathaoirleach: The Leader to reply without interruption.

Mr. Leyden: What about the printing machines?

Ms O'Rourke: That was so long ago.

An Cathaoirleach: The Leader to reply without interruption.

Mr. Ryan: I refer to the sad case of the three children who were killed in Gaza.

Ms O'Rourke: The three children who were killed in Gaza is a sad case. A crime against children is heinous. The Minister for Foreign Affairs, Deputy Dermot Ahern, has been open and consistent in his condemnation of what he sees as Israeli atrocities.

The HSE was also referred to and I see nothing wrong in seeking value for money, it is both an old-fashioned and a modern tenet. Shoppers seek value for money every week. I am glad to tell the House that the tender for Longford-Westmeath General Hospital is going out today. It will be back in four weeks and the work will commence after that.

Mr. U. Burke: Does Donie know that?

Ms O'Rourke: He is in the US.

An Cathaoirleach: That is definitely not relevant to the Order of Business.

Mr. Finucane: I would say the Leader would not mind if there was a permanent representative out there.

Mr. Coghlan: On a one-way ticket.

Ms O'Rourke: Urgent work is going ahead in Longford-Westmeath General Hospital. The Department of Finance is right to look for value for money. If one is going to invest large amounts of money, there should be a proper explanation of the value to be obtained from such an investment.

Senator Morrissey raised the matter of the Railway Procurement Agency and sought a debate on public transport. As he said, if the Luas can work viably, why not the buses? In a small country, trains will never be economically viable because one needs vast distances and large passenger numbers, as in Canada, to make rail transport profitable.

The Senator also asked where are the real criminals who would not agree to rezoning or providing houses at a reasonable cost. There will be some debate in this House if we get going on that. I look forward to it very much.

Mr. Norris: Let us have it.

Ms O'Rourke: Indeed.

Senator Coghlan raised his hardy annual, or hardy daily, which is the Great Southern Hotels group. He referred to the paintings therein, which have gone to de Veres for valuation. I cannot see those hotels being sold. There is a lot of mouthing going on about them but I do not know if they will ever be sold. It is like a perennial story with no ending.

Senator Mansergh mentioned Professor Drumm, who did not talk about privatisation. I thank Professor Drumm for the breakfast but I could not hear anybody who spoke there. It was all very low key. Senator Mansergh also said there was a zero subsidy figure for Luas and the RPA, which is great. The dear husband of one of our Senators — I am giving no names — is the chairman of the RPA.

Mr. Norris: Is he the one who did not know how long the underground was, how much it cost or how much tax was paid on it?

Dr. Mansergh: It is a brilliant success.

Ms O'Rourke: It is so interesting because everyone hated the Luas until the day it ran and then everyone loved it. One can see all the faces of passengers looking out when the Luas comes along. Thank God something worked out.

Mr. Finucane: How right the Leader is.

Ms O'Rourke: Senator Norris sought a debate on housing and house prices. He also mentioned the US-EU summit meeting in Vienna. I would be very suspicious of all that. He also referred to the age of sexual consent and said it was correct to seek young people's views. I would have my own views on that, however.

Senator Brennan raised the non-return of 300,000 census forms. The forms are supposed to be collected from people's homes so I do not know why that has not happened in certain cases. The collectors are paid a fee on returning the forms. It is a civic duty so everybody should have filled out the forms for collection.

I am sure Senator Bannon is glad to know that the tender for the Longford-Westmeath General Hospital is out today. The proper tender will be accepted in four weeks.

Mr. Bannon: It has been slimmed down.

Ms O'Rourke: I am sure he is delighted with the good news for the hospital. As regards the cost of housing, I agree with the Senator about freeing up zoned land. Equally, however, no matter what explanatory guidelines are issued, the biggest question facing anyone dealing with people is planning in rural areas. One cannot obtain one-off planning. There are three or four weeks before validation is issued. The day before the eight weeks are up, an applicant will get a letter seeking information, which adds on another four weeks. Applicants then receive another letter seeking more information. It is a disgrace. I am convinced that planners get up every morning and say, "How many refusals can I issue today?" They then go about issuing them. It is an amazing process.

It does not matter to whom one goes in a local authority, it is a clear case of putting obstacles in the way of anyone who applies for planning permission. An ordinary young couple seeking planning permission must undertake a hazardous trek at the end of which they cannot obtain permission. I do not know what is going on. Michael Davitt said the land of Ireland was for the people of Ireland. He may have had his ideology but it is certainly not working out now. It does not matter if one is the son, daughter, sister or brother of the man or woman who owns the land, one will not get planning permission. It is a crisis. Our lives are dominated by people who cannot obtain planning permission.

Senator Leyden wants us all to be on Sky Television. I suppose it is all right if it was interested. The BBC has a channel for the House of Commons and the House of Lords, which is what I thought Senator Leyden was getting at.

Mr. Bradford: Lord Leyden of Castlecoote.

Ms O'Rourke: Castlecoote is a nice place. I know where it is. I have been in it several times.

An Cathaoirleach: We will not discuss it now.

Ms O'Rourke: Senator O'Meara raised the report on regional hospitals and the delivery of services. She indicated that certain facts were suppressed concerning what is in the report.

Ms O'Meara: We want the full report to be published by the Department or the HSE.

Ms O'Rourke: The full report rather than taking pieces out of it.

Ms O'Meara: Yes.

Ms O'Rourke: Senator Ó Murchú said that human life is sacred and referred to the "official murder" of three Palestinian children. He asked if a wedge was being driven between the Palestinian people. Of course it is, leading to civil war and a diminution of their own efforts to govern themselves.

Senator Terry said that anything which attracts over €50 in customs tax is returned by the US postal service. I suppose her point is that the limit should be raised to €200 because the current limit has not kept pace with today's monetary values.

Senator Hanafin expressed his approval of the idea of seeking the support of the Communications Workers Union, through negotiations, to ensure that the electoral register is kept up to date. He also raised the targeted mail-shot, to which he has previously referred. In addition, the Senator mentioned the events at the Jabaliya camp in Gaza.

Senator Feighan referred to housing and welfare rental costs but the HSE pays the going costs of rents. He also raised the terrible murder of those Palestinian children. Senator Mooney sought a balanced debate on that matter. I am sure all debates strive for balance but it is very hard to be balanced when children are murdered in a camp.

Mr. Ryan: Hear, hear.

Ms O'Rourke: It is hard to say "Let's have a balance" in that situation. Of course, Hamas will fight back.

Senator Bradford sought a debate on the carnage in Iraq. He met some elected representatives of that country here yesterday. I was not able to attend that meeting but they need our support.

Senator Bradford also referred to the plan to build a high security prison at Spike Island. There was always a detention centre there but he is talking about a high security prison. May I suggest to the Senator that in advance of the House debating the Criminal Justice Bill, he might raise the matter on the Adjournment? It would be a good topic for an Adjournment debate. I can under-

[Ms O'Rourke.]

stand the reservations people would have about that matter.

Senator Jim Walsh supported Senator Terry and suggested that the tribunals be dealt with in a more explicit and targeted way.

Order of Business agreed to.

Adult and Further Education: Statements.

Minister of State at the Department of Education and Science (Miss de Valera): I am glad to have the opportunity to present this overview of recent developments in adult and further education in Ireland. In the knowledge society, a well-developed education and training system and a workforce that is adaptable and willing to learn new skills are necessities. Research throughout the world has demonstrated the central influence of education on life chances and there has been a growing realisation in recent years that education must be lifelong if we are to have an inclusive and democratic society that can adapt successfully to meet new challenges. In addition, we know that increasing children's participation in and benefit from education is heavily dependent on also enabling parents to support their children's learning. Globalisation, increased competition, new technology, demographic change, a continuing need to upskill the workforce, more leisure time and an emphasis on social and cultural development are all converging factors which make it an imperative to invest systematically in adult education.

The adult education service is funded by the Department of Education and Science and delivered locally, mainly by the vocational education committees. In addition, but on a much smaller scale, secondary schools, community and comprehensive schools and local community groups are also adult education providers. The adult education service has expanded considerably over the past nine years. This expansion has concentrated on giving a second chance to people who did not derive full benefit from their initial schooling, particularly those who did not receive upper second level education. National certification for participants in adult and further education is provided by the further education and training awards. Some programmes receive certification from professional bodies and from a number of bodies outside the State, such as City and Guilds qualifications.

Within the context of lifelong learning policies, the conceptual frameworks for further education, adult education and vocational education and training are becoming inextricably linked. Developments at European and national level are facilitating greater co-operation, co-ordination and cohesion between the Departments with responsibilities in these fields and the statutory bodies with responsibility for delivery at regional and local levels.

My policy is to ensure that available educational resources are targeted at the most disadvantaged people across all levels of the system. It is important to note that the principal objectives are pursued through a number of full-time programmes such as Youthreach, senior Traveller training centre programmes, the vocational training opportunities scheme or VTOS, post-leaving certificate courses, as well as part-time programmes such as the back to education initiative, the adult literacy scheme and the community education programmes.

Adult literacy is the top priority in adult education. This priority was accorded following an international literacy survey of adults aged 16 to 64 that was published in 1997. It found that approximately 25% of our population, some 500,000 adults, scored at the lowest literacy level used in the survey. Since 1997, funding from the Department of Education and Science for adult literacy has increased incrementally from €1 million to just under €23 million in 2006. As a consequence, the number of clients catered for annually has increased from 5,000 in 1997 to over 35,000 in 2005. In this regard, we are well ahead of the annual target of 18,000 set in the national development plan.

Referral networks were developed by the VECs to ensure that those who needed them most were made aware of the adult literacy and basic education services. The referral system involves collaboration with other agencies catering for potential literacy students, such as FÁS, employment offices, welfare and community groups and schools. A national referral directory of adult literacy services has been published, showing where services are located, what options are offered and the contact points and telephone numbers. Staff development programmes have been established on a modular in-service basis for tutors and literacy organisers, and family literacy groups, involving adults and children, are running successfully.

Participants on the community employment scheme operated by FÁS can be released half-time from their work experience programmes to avail of intensive literacy tuition by the vocational education committees. This arrangement enables them to combine work experience and ten hours per week literacy tuition. The National Adult Literacy Agency, known as NALA, has trained a number of tutors to provide literacy in the workplace and has promoted the availability of this facility among employer organisations. The programme is now available for local authority outdoor staff nationwide. There are also successful workplace literacy programmes running in two hospitals and in a trade union.

To supplement the general adult literacy service, a number of specially-targeted literacy programmes have been introduced for those in need of particular literacy services, for example, deaf people, people with dyslexia and native Irish speakers in Gaeltacht areas. To cater for the liter-

acy and basic education needs of immigrant groups, vocational education committees have provided funds to afford free access to literacy, English language and mother culture supports.

Earlier this year, a new intensive literacy programme commenced within the VECs, in which six hours of literacy tuition is available per week instead of the usual two hours. This pilot programme is running for 14 weeks and an evaluation will take place later. If the programme is found to have operated successfully, funding will be made available for its continuation. A quality framework for the adult literacy service has been developed and published by NALA in collaboration with partners in the North, Spain and Britain. An assessment framework for the adult literacy service, which will be known as Mapping the Learning Journey, is being introduced by the VECs.

It should be recognised that these initiatives will take time to impact on the 500,000 people with literacy problems. Over the years we found that one of the most useful ways of dealing with this issue was through the television series, "Read Write Now". It has been successful and popular with audiences because people feel they can access it in the privacy of their own homes.

In a departure from the format employed heretofore, it is proposed to provide a new multimedia literacy tuition initiative in 2006. This will be done in partnership with NALA, the Broadcasting Commission of Ireland and RTE. Funding will be provided by my Department, the commission and RTE.

It is not enough to provide courses and certification. Without support, many of those committing to lifelong learning will flounder. Those who have embarked on this journey need to be guided along the way and a coherent integrated system of guidance provision is essential. The adult education guidance initiative was launched in 1999 in response to the recognition of these needs. Some 35 projects have been established and the service is almost nationwide. Having trained in career guidance, I admit to a particular interest in the question of adult guidance and a commitment to furthering this initiative.

Annual grants are given to VECs towards the cost of child care support for participants in VTOS, Youthreach and senior Traveller training centre programmes. This is to cover the child care expenses of people for whom these programmes were designed but who were not able to enrol on them because of child care responsibilities. Demand and provision have increased incrementally in recent years. My Department is also funding Qualifax. If speakers wish to refer to that initiative later in the debate, I will be happy to expand on it.

The success of programmes dedicated to preparing participants for employment is continuing to be sustained. Some 90% of students who complete post-leaving certificate courses progress to employment or further education — in the case

of Youthreach, the figure is 74%; for VTOS, 69%; and for senior Traveller training centres, 51%. This year, there has been an increase in the rates of non-pay grant for VTOS, Youthreach and senior Traveller training centres from nearly 8% for Youthreach and senior Traveller centres to approximately 19% for VTOS participants, depending on the category of the student and the programme being followed.

The back to education initiative, a part-time measure, plays a key role in addressing the needs of those with minimal or no educational qualifications and providing a re-entry route for those who wish to upgrade their skills in line with emerging needs. I have increased the number of places available on a yearly basis with regard to the BTEI. Community education opportunities have been expanded and supported as part of the initiative, given the success of the model in reaching very marginalised groups. When the programme commenced in 2002, 6,000 places were available and we were able to increase this to 7,000 in 2005. The cost of the programme this year is in the region of €17,000,000.

I have appointed 37 community education facilitators to the vocational education committees on a flexible needs basis, to develop networks and link with community education groups to promote and assist their role in adult education provision and develop partnerships between statutory and voluntary interests, particularly in addressing the needs of those who are most marginalised. This is a new category of post and a training and support service has been put in place for the facilitators. I feel we will achieve value for money, given that so many people will now be able to avail of this service.

We have increased the number of post-leaving certificate, PLC, course places by 60% since 1996-97. Indeed, the number of PLC places approved for 2005-06 is up by more than 1,600 on the 2004-05 level. The number of approved places in the sector now stands at over 30,000. Government support for the sector is evident not only in the expansion of approved places and teachers, but also in the introduction of maintenance grants for students with effect from September 1998. Tuition fees for PLC courses are waived and the PLC maintenance grant scheme operates on the same basis as in higher education. There were nearly 8,000 PLC grant holders in 2005 and they received some €23 million in direct support. PLC students are included in the calculation of non-pay budgets issued to schools in respect of running costs. A supplemental non-pay grant towards running costs specifically for PLC schools is also payable. This amounted to €5.5 million in 2005. It is evident that Government commitment to the sector, by reference to the resources applied in teachers' pay, non-pay running costs, student support and certification costs, is very significant.

The McIver report contains 21 over-arching recommendations, incorporating 91 sub-recom-

[Miss de Valera.]

mendations. It has been estimated, in consultation with management and staff interests, that the recommendations for staffing would involve, at a minimum, the creation of at least 800 new posts at a cost of over €48 million. This level of additional provision cannot be considered in isolation from other areas of education and the future of PLC provision is currently under active discussion. In their consideration of the needs of the PLC sector into the future, my officials have been examining, *inter alia*, the non-teaching educational tasks particular to PLC teachers, the demands on the management side and the challenges presented by the variation in size of the 200 plus PLC providers. When their deliberations have been completed, further discussion with the management and union side will be necessary.

In the whole area of further and adult education, non-pay expenditure has risen to approximately €146 million this year. Overall, this provision represents an increase of €8 million on 2005 and will provide for an expansion on existing services in the sector throughout 2006. The principal increases are in the rates of non-pay grants for the vocational training opportunities scheme, Youthreach and senior Traveller training centres. In addition, on my request, the Minister for Finance recently provided an additional €2 million for adult and further education. I have decided to spend €500,000 of this additional money on adult literacy, €500,000 on the further development of the adult guidance service and €1,000,000 on the expansion of the Back to Education initiative. This will enable my Department to continue to develop the various services we fund in order to address the needs of adults who wish to improve their education levels.

I look forward to the debate.

Mr. U. Burke: It is appropriate that this debate is taking place at the moment as it highlights what has happened over the past week. It highlights the fact that the adult and further education sector is the Cinderella of the Irish education system.

Mr. Fitzgerald: That is no longer the case.

Mr. U. Burke: The Minister of State at the Department of Education and Science clearly stated that the recommendations of the McIver report demand a commitment of €48 million and the creation of 800 additional posts. It is obvious from what the Minister of State said that the commitment to service that need has not been made. The 21 recommendations of the McIver report are in response to the failure of successive Governments and Ministers for Education to deal adequately with the needs of the further education sector.

A welcome announcement was made last week on higher level education and the availability of €3.8 billion for new scientific research and development projects. The reality is, however,

many people long to participate at that level and cannot achieve it. Most of the Minister of State's speech relates to adult literacy which is a problem that we all recognise. However the causes of this problem indicate the failure of the Minister for Education and Science to deal adequately with it at primary and second level.

Is it not a shame that 1,000 young people do not transfer from primary school to any form of second level education? That is the 2005 statistic. It is incomprehensible that this problem cannot be solved and nothing has been done to solve it. We were told welfare officers would be put in place. Only 73 are in place, yet there is a need for 300. Does this represent a commitment to solving the problems of adult and further education?

Educational research published as recently as 2005 shows some schools have a 60% dropout rate. The Minister for Education and Science and those involved in education today cannot be unaware of this. Research in urban and rural areas shows it affects the country as a whole. Given that some schools have a 60% dropout rate, how can we expect a highly successful labour force as grandiosely announced by the Minister for Enterprise, Trade and Employment, Deputy Martin, the Minister for Education and Science and others last week.

The Minister of State referred to the Back to Education initiative, which was a wonderful scheme. Unfortunately, Deputy Coughlan, the former Minister for Social and Family Affairs, withdrew a good deal of support for it. This provoked an uproarious response which forced her into a U-turn that saw the initiative reinstated. How can the Minister of State suggest, on behalf of the Government, there is a commitment to Back to Education programmes when such uncertainty has been sown? This uncertainty reverberates down to the people who want to go back to education and commit themselves to a new way of life. They become despondent, turn their backs on education and are lost forever.

Finances were provided, in response to the McIver report, in last year's budget. Unfortunately, whether through the fault of the Minister of State or the Minister for Education and Science, most of that money has been left unspent or has not been utilised in the intended way. This is the sad reality of the commitment given to adult and further education. I agree with the Minister of State that were it not for the vocational education committees and the initiative taken by forward-thinking chief executive officers and adult education officers, together with staff, we would not have any worthwhile adult and further education structure at a national level. We commend them and acknowledge their work in that area. Unfortunately the many suggestions from the VECs to the Department and the Minister gather dust on the shelves as many other reports and initiatives have done.

I was a member of a VEC for approximately 15 years and I have witnessed the endeavours it

has made to bring this problem to the fore. In further education, back to education and adult education, Ireland has the lowest participation rates in Europe. Some 2.5% of the student population in third level education is over 26 years of age while in other European countries up to 20% of the student population is in third level education. What does that say about us? It means there is not the commitment for people to have access to third level education.

Post-leaving certificate courses have been a tremendous asset in recent years in encouraging those who dropped out of the education system at primary or second level to re-enter. The McIver report clearly indicates there should be a specialised section to cater for that sector. If the Minister of State is serious about establishing further and adult education as a parallel to the other sectors in education, she cannot ignore this proposal any longer. If today she announced her commitment to establish an independent sector for adult and further education it would be a good day for those in that category. At least they would see there is a commitment to education and realise there is a Minister for Education and Science who is concerned about the issue. When I hear the response of many Ministers that they want to educate the workforce, wherever it might be, and that workers have to get an opportunity to change jobs during their lifetime, I am sceptical of their commitment to that objective other than to pay lip-service to it by way of statements and otherwise.

If we are serious about further education those who provide it, the tutors and the teachers, must have different work practices and a different structure of payment and status from those in second level. I appreciate that the Minister of State said she is in negotiation with all the participants. I hope those negotiations can be moved forward quickly to avoid delay. If there is a recognition of the need for the delivery of the service, special conditions will be put in place for the providers.

I would welcome a positive initiative in order that the problem can be resolved. An integral part of that recognition would be a change in hours and delivery of service because of the many difficulties involving child care and so on. There must also be a 9 a.m. to 5 p.m. delivery of service and, as McIver proposed, there must be weekend availability of the service, all of which will put demands on the Minister of State and her officials who have to negotiate a response from those involved at ground level. If we are serious we will not short-change those involved and say it is disappointing we cannot get agreement if it is a matter of finance. The money must be available given that €3.8 billion has been allocated to the higher level for research and development. The strongest will survive in that area but unfortunately adult and further education has not been able to demand and receive adequate resources as distinct from the other sectors in education.

The onus is on the Minister of State, as the person with responsibility for these negotiations, to demand the necessary resources for an adequate response in this area. The central point of the McIver report is that the Minister of State establish an independent sector that will not depend on crumbs from second level.

That the Minister of State has appointed 37 community education facilitators to the vocational education committees is welcome. The concept was initiated at ground level within the VEC sector. These people are at the coalface and know the problems at ground level and the need for co-ordination at that level. That many voluntary and statutory groups provide literacy programmes is a recognition of need. Frequently the literacy problem initially manifests itself in the workplace. As a result of intimidation, bullying or other social reasons, and the work situation, there is a need for greater co-operation and employers must be prepared to give a little. Some are not prepared to recognise there are people within their workforce who are in need of and want to further their education. Many of these people are told that if that is the case they will be replaced by someone else. That has happened and I am sure the Minister of State is well aware of it. Some employers are callous in regard to the needs of workers, particularly those who want, of their own initiative, to further their education. In the long run, if the employee was allowed to further his or her education it would be of great advantage to the employer.

Unless the Minister of State takes adult and further education out of the sandwich and puts into a sector on its own we will always be against the tide. Sufficient funds were never available to the sector. Given the high drop-out rates at primary and second level education, what chance have those people of getting access to third level if the Minister of State's colleague, the Minister for Education and Science, does not deal with the issue? It is a shame that the funds provided in the 2006 budget have not been utilised fully and to the best effect possible.

Mr. Fitzgerald: I request that I be given two minutes notice to conclude. Senator Ulick Burke is operating in reverse. Our journey is to bring adult education to the centre of the lifelong education experience.

Mr. U. Burke: It is not encouraging.

Mr. Fitzgerald: That Senator Ulick Burke suggests the Minister of State should establish an approach outside the education system and segregate it is missing the point. Partnership has been a recurring theme of late and is a good topic on which to start my contribution. Partnership, vision and education are one and the same issue. Sylva Langford recently defined partnership, in a tongue in cheek and off the cuff remark, as "mut-

[Mr. Fitzgerald.]

ual loathing temporarily set aside in the interests of funding". All of us across the country and in every area of society would do well to ponder upon that. It is full of nuggets of insight if we dig deeper.

I welcome this debate. Contrary to what the Minister of State has heard, she has been and is held in high esteem by many members of the National Educational Officers Association. She will be held in such esteem in future also. They also acknowledge the high regard she holds for adult education, which derives from her rich and varied educational and professional experience. The Minister of State has referred only briefly to this and she has not done justice to herself in the fleeting reference made.

I have no authority from Members to say this, my authority is based on my many frequently challenging exchanges with a number of the members at my clinics and other educational and social functions. I derive authority from this to make such statements with conviction and without fear of contradiction.

We all share a dream about adult and future education, appropriately adopted in the strategic plan of 2006-10, which the Minister received from them late last year. She warmly welcomed the members, gave them much time and there was a mutual exchange of views. They warmly thanked the Minister of State. The members with whom I constantly engage and are challenged thank the Minister of State again today, not only for that experience, but for the many exciting initiatives she has introduced, promoted or brought forward as part of the vision for adult education on her watch.

I wish to put on the record the vision shared by the Minister of State, the members of the National Educational Officers Association and myself. It states "Our vision is of an inclusive Irish education system that provides equal access to lifelong learning opportunities for all adults". This epitomises everything the Minister and Government stands for with regard to adult and future education.

Mr. U. Burke: Dream on.

Mr. Fitzgerald: I will not refer to further education today, as every time I speak in the Chamber I seem to refer to further education. I will restrain myself today on that score.

Adult education today is not seen as a separate and fragmented silo. Everything in education is geared to see it as a partnership of equals and not the separate entities referred to by Senator Ulick Burke. Everybody contributes their own professional input which results in an adult education sector that is integrated and inclusive for every sector of the community. It is not segregated.

The White Paper on adult education — the only one on adult education in the history of the State — that was initiated by the former Minister

of State at the Department of Education and Science, Deputy O'Dea, has elucidated that adult education must be viewed differently to the past. Senator Ulick Burke seems to be returning to the past. It is now seen holistically, with each part in the educational journey from pre-school up to and including third level and adult education knitting into other sectors. This results in lifelong learning in its truest meaning. I would hate to go back on the other road. The Minister has no intention of doing so, and everything she has done so far has projected the vision I seek to articulate.

It is important to acknowledge people who have been traditionally excluded from the educational system, both formal and informal. These are people with disabilities or who, through no fault of their own, had to opt out of education. This may have been because of a lack of money or opportunity. The problem may have been geographical, as people may live in very remote areas. People may also have child care issues that were never dealt with. They may also have had to care for aging parents, and as carers they may not have been free to look after their own needs.

Everybody is now included. The Minister of State and the Government have seen that those people who need education, regardless of means, can access it. We are supporting them through the Minister and the Government.

Mr. U. Burke: What of the cuts in back to education funding?

Mr. Fitzgerald: We cannot speak of the provision of adult education without speaking about supports. We must facilitate people in getting true access by providing such supports. One of the main supports is child care. The Minister of State has spoken on this in detail. This Government acts and funds child care mainly through the back to education initiative, the vocational training opportunities scheme, VTOS and especially the equal opportunities child care programme.

Real inclusive education, particularly for people with disabilities of both of a physical and learning type, and anybody else excluded from the mainstream — as hundreds of thousands have been since the foundation of the State — calls for a recognition that access is not just physical access for people going into buildings. Curricular access is every bit as important as physical access. In a way it is cruel to invite somebody into an educational establishment where there is physical access, but a blind person would not have Braille materials. This sums up my point.

The Government recognises the supports that people need for specific disabilities. It is putting such supports in place, and the Minister of State has today given many examples of this. I will go back over only one or two of these later. These supports exist so that everybody is on the same level playing pitch. This issue concerns equality of access and esteem.

The Minister of State has pointed out many important initiatives. I will refer to some. I cannot proceed without referring to the VTOS. It targets people who are long-term unemployed and in receipt of social welfare payments. These people can now access full-time education free of charge without losing social welfare or secondary benefits. There are 5,000 people nationally accessing this and moving on. They are not only finishing their secondary VTOS training but going on to third level, becoming professionals and contributing significantly to the economic prosperity of the country. I wonder in what country is Senator Ulick Burke living.

Another important initiative is the community education programmes. These are free of charge and operate in 33 VECs around the country, providing a huge range of education across the board, again empowering people to participate in society. I cannot skip the adult literacy programmes either, as they are famous, not only in Ireland but internationally, for the wonderful work done in teaching people to read and write. They enable people to become visible in society. If a person cannot read and write in today's literate world, that person will disappear.

Traveller training centres also do a wonderful job. They promote an inclusive education for those who are outside mainstream education and have been since before the foundation of the State. These people are now being targeted for education. Although it would be a wonderful experience, there are significant challenges. From speaking to teachers involved in the area, I am aware of the challenges, particularly the inter-generational issue of bringing members of the Traveller community into mainstream education. Other challenging issues include culture and other matters. I am friendly with many teachers involved in this initiative and they will speak to me on the roadblocks which are there. I will not speak on them now, but I will mention the issue to the Minister of State again.

The Youthreach programmes target young people whom the secondary education system has failed. We must look at education within the context of local development generally. However, we cannot speak of local development, leading to national development, without including lifelong learning. It is at the centre of this continuum.

Education must be at the heart of any development programme. In recognising the involvement of education, the participation of partners must also be recognised. This comes back to partnership. There are many partners, and the holistic approach is the only way forward. We have cast away the segregated and fragmented sectors to which Senator Ulick Burke wishes to return. We have rid ourselves of silos and we now look at education in terms of its full potential and how it can make a holistic impact.

It may not be fair to single out an issue, but I wish to highlight the back to education initiative. This affords people who have left the upper

second level of education a chance to return and make up the deficit in their education. It targets people who may have worked in the home all their lives, who have left school at 14 years of age to take up an apprenticeship that is now obsolete, people who have the group certificate or those, like myself, with the old primary certificate. These people may have a good level of skill, but it is no longer needed.

This initiative recognises the prior experience and learning of these people. It offers accreditation for the wealth of knowledge that was not recognised until now, when the Government and its immediate predecessor came into office. I commend the Minister for giving €17 million this year to the area. It is a glowing tribute of her achievements. Rather than denigrate and denounce the Minister, as has been done by the previous speaker, I commend and salute the Minister for what she has achieved.

These initiatives go hand in hand with accreditation. The importance of such accreditation must not be underestimated and it can never be overstated. Unless a paper indicating an accreditation is in a person's hand now, in an Ireland full of graduates walking around with degrees, masters degrees and doctorates, that person is going nowhere. He or she would still be at an educational disadvantage. I commend the manner in which the Minister of State and her colleagues in Government have brought forward accreditation. It is a shining example of the projection of the vision of the Minister of State and the Government.

Ireland in 2006 is different to the Ireland of 1997, which this Government and its immediate predecessor inherited on coming into office. There has been a major influx of people coming to Ireland to look for a better life and the challenge for the Government is to grasp the opportunity to enable them to integrate and contribute to the economy. They are doing what many of our forefathers did in the 1920s and 1930s in Great Britain, America, Australia and elsewhere. Many of them came from high mountains, deep valleys and poor bogs and they had to take the hard road when they went abroad. They found it hard to integrate in their new homelands and were often ghettoised.

We have a golden opportunity as the educational structures and supports are in place to make it a little easier for our new Irish citizens of the 21st century. If we empower them through education they will make their contribution to society both culturally and financially. By doing that we are changing a challenge into an opportunity. I know the Minister of State has a deep conviction about this approach and is most supportive of it. I am inordinately proud of the fact that this year's leaving certificate exams were available in 22 languages. For the first time, students had the opportunity to be tested in their mother tongue in curricular and non-curricular

[Mr. Fitzgerald.]

areas. This was a magic moment in Ireland's celebration of its recent new diversity.

As we acknowledge the past and celebrate current achievements, our new challenge is to build on the structures we have provided. We must create an environment where adult education is part and parcel of everyday education and, as stated by other speakers, is not segregated and sidelined. Currently, 98% of teachers involved in adult education are working on a part-time basis and this simply cannot continue. If we are to keep the expertise and the wonderful skill base that the Minister of State and her predecessors have promoted and built up in this area, we must value these teachers equally with staff in other educational sectors. All are constituent parts of the continuum that is lifelong learning. There must be equality of esteem, and if there is anything less we will not succeed. We have a wonderful resource and we must nurture it and build on it because if we do not, these valuable people will go elsewhere. If we do this, I believe the future of adult education is assured.

One of the most important supports provided by the Minister of State in recent years was the setting up of an adult guidance support service. This is a revolutionary concept. I have found nothing on a par with it elsewhere in the world. People do not have to flounder around any more not knowing what to do. Professional advice is available to guide people and enable them to make decisions for themselves. In other words, those involved in guidance are walking along the journey with us. Educational experience is a life-long journey from poverty, inadequacy and heart-break. In many cases it has transformed people's lives and ensured success and a happy life for generations to come.

Mar fhocal scoir, is fearr beagán cúnaimh ná mórán trua, which simply translates as, a little help is better than a lot of pity, and the Minister of State is providing that help.

Mr. Feighan: I welcome the Minister of State. Adult education is an important topic and while I may not be as enthusiastic as Senator Fitzgerald, I will try to be measured in my contribution.

Resources for adult education have improved. At the time when I finished school about three students from a class of 50 went on to do a university course, some went to technical colleges and others joined family businesses. As Senator Fitzgerald stated, it is wonderful that today's school leavers have the choice and confidence to continue with their education. We have come a long way as a nation and I do not wish to return to a situation where unskilled people lacking in maturity and confidence leave education at the age of 18. In the past 30 years, interest in third level and adult education has significantly increased.

Although I consider myself to be relatively young, many of my friends who have raised their

children are now returning to education. It is wonderful to see their enthusiastic attitude since they were given a second chance to access education. In the past, people were obliged to go into the workplace or were busy raising families and were not privileged to go into full-time education. It is wonderful to see such people now getting a second chance.

More resources should be directed into adult education. I accept I may be biased but I am most impressed by the effect it can have on people. We are all victims of our environment. Those from a farming background tend to follow the previous generations and continue the farming tradition. I come from a business background. I am a small shopkeeper. My parents followed my grandparents in this endeavour. We are all affected by our environment. If the preceding generation did not complete secondary education or attend third level, it is less likely for the present generation to pursue education to a high level. By giving those people who missed out on furthering their education 25 years ago a chance now, we are breaking that cycle and offering hope and self-belief to people. This also provides an incentive to the children of such people to further their own education. I wish the Minister of State well. The funding spent on adult education is of immeasurable benefit.

I have much grá for the Youthreach programme which has provided a wonderful opportunity for young people who were not comfortable in the formal educational environment. They have been given an opportunity to learn skills in a friendly environment. Some of the young people involved may be from the margins of society or have been in trouble with the law. I accept that the programme was not set up specifically for this purpose, but some of the young people involved come from difficult backgrounds. The funding for this area has been money well spent.

I pay tribute to those involved in this sector. I have met many teachers and principals involved in this area. I commend the VECs on the choice of staff employed on this programme. Their ideals and demeanour fit in well as they work closely with the students. They know how to get the best out of their students. I am always pleased to be invited to an event involving the Youthreach programme.

The cap on PLC courses is a problem and I urge the Minister of State to further examine the matter. If restrictions were put in place then those who are lacking in confidence can be put off by financial or child care concerns. We must focus on the needs of the service users. It is sometimes beneficial to get people out of their home environment, which may have been the same for 20 years or more. It is not a question merely of receiving an education but also relates to the benefits of getting out of one's comfort zone and meeting new friends. The funding expended on adult education may help prevent illnesses and other problems and is money well spent.

Another important element of adult education is prison education. Prison is a difficult teaching and learning environment for teachers and prisoners, respectively. Although it is one of the better prisons in the State, I was relieved when a visit to Castlerea Prison some years ago as part of a VEC delegation was over. We must allocate sufficient resources to this sector. I understand that while prisoners who work in the prison workshop are paid a small allowance, the same does not apply to those who avail of prison educational facilities. Has this anomaly been rectified? If so, I congratulate the Government. Otherwise, I ask the Minister of State to consider it. I wish her every success in her endeavours in the area of adult education.

Ms Ormonde: I welcome the Minister of State whom I have heard speak eloquently on this subject many times. She has a great understanding of the problems that exist in this area and how we must tackle them. I support her observation that education is a lifelong process and one from which we should all benefit on a daily basis. I look forward to working with her on this and any other issues she may decide to pursue in the future. I am sure she will return often to the House to lecture us and provide guidance on those issues.

Our society has improved dramatically in the last decade and the economy is strong and competitive. The development of new technologies means new skills are required as well as new methods of networking those new skills. It is in this context that we must review the current status of adult education and examine future requirements in this area. As part of my work in adult education, I have tried to assist people from the age of 14 and upward who dropped out of full-time education in returning to the education system, whether through the Youthreach programme, post-leaving certificate courses and so on.

It is important that these young people who have fallen outside the net are identified and reclaimed as early as possible. Home-school liaison programmes are particularly important in identifying those students in difficult home circumstances who may potentially end up in low-level employment or even a life of crime. If we identify such persons at 16 years of age, we can move quickly to engage them in adult education services.

I am aware the Minister of State has included provision for this area in various programmes. Adult education is extremely important because it is about targeting those who cannot help themselves and offering them a second chance. For those people living in an unhappy home environment, whose children may be reared and who do not know what to do their lives, adult education can be their saviour. It can assist not only those who are economically disadvantaged but also those who are emotionally disadvantaged in terms of enduring a dysfunctional home environment.

Dysfunctional behaviour on the part of parents is often replicated by their children. The danger is not so much that these children will struggle with a low IQ but that their emotional development will be stalled.

We must ensure the infrastructure and networks are there to tackle these problems. The Minister of State has assured us the relevant programmes will be in place. The VECs are doing a super job in terms of targeting those in need through the provision of various types of programmes. The Minister of State referred to post-leaving certificate courses, which have been a major success story since the 1980s in catering for those who find themselves unsuited to the mainstream system and who prefer a hands-on rather than an academically oriented approach.

The adult guidance service is vital but there are still not enough counsellors. Funding should be provided to allow each VEC assign additional counsellors in its area. The main difficulty in this regard is that insufficient training places are available for those who wish to attain a counselling qualification. Courses are available in NUI, Maynooth, and Trinity College, Dublin, but I understand UCD has discontinued its course in guidance counselling. We must provide more training places. Many young teachers who would like to become counsellors cannot secure a place despite the severe shortage of counsellors in schools. Members of the immigrant population, in particular, need all the help they can get. An enhanced adult guidance service provided through the VECs could facilitate their integration into Irish society.

The difficulties in this area are not down to the Minister of State, who is doing her bit; various factors are causing delays. Much work is being done in regard to adult literacy programmes for immigrants. I am not convinced about the accuracy of the findings of the recent OECD report. I am in regular contact with educationalists and find there is no indication that a problem exists to the extent indicated in that report. There is a core element of persons with literacy difficulties in every area but the problem is not so great as is suggested.

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

Ms Ormonde: I could talk for Ireland on this subject.

Mr. Feighan: Senator Ormonde has already talked for Ireland.

Mr. Minihan: She is doing very well and should keep going.

Ms Ormonde: If career guidance teachers are available in every VEC area, they can tap into the locality where problems exist. VEC colleges provide a ready made network, as do FÁS offices.

[Ms Ormonde.]

Duplication in the provision of some courses must be examined because money is being wasted. VEC committees should not run two courses in the same area on, for example, engineering. This is not solely an issue for the adult education sector but it is important that money is not wasted when it could be put to good use elsewhere.

The Minister of State, Deputy de Valera, is doing a wonderful job and I wish her well. I know she enjoys her role and she has my full support. She has made a significant difference in this area.

Mr. Minihan: I welcome the Minister of State and her officials to the House. I also welcome the statements I have heard today. In April of this year, I voiced serious concerns in this House about adult and further education. I sneaked my comments in under the radar when statements were being made on youth affairs. I would not have done so had I realised today's debate would take place. During the earlier debate, I expressed my unease about the PLC and further education sector.

Ireland's education system has been the basis for the rapid economic progress we have made in recent years. In his budget speech, the Minister for Finance, Deputy Cowen, stated that a disproportionate amount of emphasis is placed on taxation policy as the key element in our economic success. While taxation has been extremely important, the single biggest contributor to our success has been the availability, to both indigenous and foreign investors, of an exceptionally well-educated workforce. There are many aspects to this issue, including the sound basis of our primary and secondary curricula, although I have some reservations about the points system, pressure on students and the issues of subject choice and incentivisation. Another aspect is the proud and distinguished performance of our students and educators at third level.

I have expressed the view in this House and elsewhere, that we must be in a position to provide targeted investment in third level education. We must also adopt a strategy that insures that investment delivers the excellence that is so closely associated with the Irish education system. While this becomes increasingly complex as we move away from being a natural economy to a knowledge-based one, the measures outlined in the last budget, the developments on foot of the Fottrell report and the very significant programme announced last Sunday, demonstrate that the Government and my party are committed to maintaining that standard of excellence.

Our primary, secondary, third and fourth level sectors are producing the goods for our students, economy and society and are getting the recognition and attention they deserve. I regret to say, however, that the same is not true for the adult and further education sector, although I must stress that my criticism is meant to be construc-

tive. On 6 April last, I made reference to a negative stereotype regarding education and in particular, the post-leaving certificate sector, which holds that further education and PLC courses are only for disadvantaged students. This is a crass and uninformed viewpoint that may contribute to a situation where PLC courses become the Cinderella of our education system.

Ten years ago there were 18,000 enrolments on PLC courses. Now there are over 30,000 enrolments, which is greater than the number of school leavers entering the third level sector every year. A national network of over 250 centres delivers PLC courses in vocational, secondary and community schools, providing over 1,000 courses in more than 60 disciplines. I am concerned that the stereotype suggests that the 30,000 PLC students are in some way settling for these courses and accepting second best because they did not achieve their preferred choice. This is nonsense. The fact that many students opt for PLC courses as their first preference seems to be lost on some people. Many people seek specific training or an alternative educational experience that has a focus on work. The problem with the lazy stereotype is that it may have negative repercussions for the treatment of the sector. In fact, the sector has received less than satisfactory treatment in the past 20 years.

My contribution to the debate in this House ten weeks ago focused on the McIver report. While I do not wish to repeat the points I made previously, it is important to point out that despite being commissioned by the Department of Education and Science in 2002 to review the further education sector, Mr. McIver's recommendations had not been implemented when I spoke. Therefore, it was with a sense of hope rather than expectation that I checked on what has happened in recent months.

We must acknowledge that the Government's commitment to the PLC sector, if assessed in terms of pay, non-pay running costs and student support and certification costs, is not insignificant. The number of PLC places has increased by 60% in the past decade. The number of PLC places approved last year increased by 1,600 on the previous year. Maintenance grants have been extended to PLC students, with almost 8,000 grant holders receiving approximately €23 million in direct support last year. There have been other positive developments in the area of tuition fees for PLC courses, non-pay budgets in respect of running costs and non-pay grants and capital funding for work at 11 post-leaving certificate colleges.

What of the broader McIver recommendations? The McIver report contains 21 overarching recommendations, incorporating a further 91 subrecommendations.

Mr. O'Toole: We are waiting with baited breath to see how many will be implemented.

An Cathaoirleach: Senator Minihan, without interruption.

Mr. Minihan: Senator O'Toole had a very significant contribution to make.

Mr. O'Toole: I spoke on this —

Mr. Minihan: I know that the Senator will take credit for all of the successes and disown the failures.

Mr. O'Toole: Senator Minihan should give us the numbers —

Mr. Minihan: He should let us have our say now. It has been estimated, in consultation with management and staff interests, that the recommendations for staffing would involve, at a minimum, the creation of at least 800 new posts at a cost of over €48 million. While this level of additional provision cannot be considered in isolation from other areas of education, I am worried that it is not being properly or adequately considered.

The non-teaching educational tasks particular to PLC teachers, the demands on management and the challenges presented by the variation in size of the more than 200 PLC providers are being examined by officials and the Minister of State expects to receive proposals in this regard shortly. It is intended to table concrete proposals for a discussion on the way forward and I hope this will be set within a specific timeframe. I fully accept that a one-off investment of €48 million presents a problem but we must have achievable and focused targets, delivered within a definite timeframe. I hope that will happen and the process will commence in this year's budget.

The positive engagement of the main partners will be sought in advance of pursuing this agenda, but the pace of progress is exasperating. It took 15 years to recognise that significant resources were needed to support the great and valuable service being delivered to further education and for a report to be commissioned to make appropriate recommendations to support it. In May, when I read of an intention to table concrete proposals for discussion regarding the way forward, I did a double take. As a result, I find myself doing the same regarding my April contribution in the House. I assure Members that it disappoints me as much as anyone.

Further education centres were originally meant to accommodate student populations much smaller than they have become. The funding structure was designed for second level education rather than to meet the needs of today's excellent further education sector. Despite being commissioned by the Department of Education and Science in 2002 to review the further education sector, the McIver report's recommendations remain unimplemented. We are still at the stage of intending to table concrete proposals. Today I

appeal for us to move forward in this year's budget.

Meanwhile, the administrative, management, staffing and ancillary support structures for the PLC sector continue to be those designed for second level education. The facilities, the number and size of classrooms, laboratories and work spaces continue to be unfit for the purposes of the PLC sector. The average floor space for further education centres still needs to be doubled. Library resources are inadequate, and there are still too few computers. We also now have additional difficulties with the migrant population and adult language training, which is eating into the sector.

While I have great confidence in our ability to deliver, I am concerned that this sector will fall between two stools and become a Cinderella sector. I appeal to the Minister of State that we must have three years to implement the recommendations, something acceptable to everyone. I congratulate her on her work today and her personal interest in the sector. I know from her announcements regarding her intentions what a fantastic legacy she could have.

Mr. O'Toole: I also welcome the Minister of State to the House and echo Senator Minihan's final comments. I thank the Minister of State for her continuing contribution. It would be a fantastic legacy to have at least begun implementing the McIver report.

This issue is a source of serious anxiety. I cannot say that any better or more clearly than Senator Minihan. Whenever one speaks to people on the ground regarding this area of education, the first thing they mention is the McIver report. We saw these people outside the gate last year and discussed it in the House. At least those recommendations with which the Government agrees must be implemented. Time begins to catch up with some of them. I recognise that the financial commitment is very large and agree with Senator Minihan's point that these demands must take their place alongside others. Interest on this side of the House is no more wise than on the other, but we must see movement. As Senator Minihan said, we must move from intentions to actions. If we started ticking off what had been done, it would deliver a great boost to morale.

There are elements of the McIver report about which I have some questions. I would debate further education centres. I try to view things in the round, determining how the sector might advance in parallel with other aspects of society. I will begin by recalling something that I heard on radio a week ago. I was listening to Ryan Tubridy's show last Monday week, on which he had a group of people aged over 80. I was abroad, and it did me a great deal of good to hear those people aged between 80 and 100, with their zest for living and utterly optimistic view of the world. I have obviously never listened to Joe Duffy. Those people enjoyed living life. One woman

[Mr. O'Toole.]

aged 89 had provided a plug for the Minister for Social and Family Affairs, Deputy Brennan, who had presented her with her European computer driving licence, ECDL. To me, that is all that I need to hear about adult and further education.

Everyone will know whom I mean when I speak of a man who came before committees perhaps once a month over the past ten years. I am referring to the former head of IFSRA, who retired on 1 February this year. He moved the organisation from being the Central Bank to a new role. His management was well regarded, and he attended committee meetings. I crossed swords with him in many different contexts and recognised and respected his contribution. I met him the week after he had retired at a brief function for him and asked him what he would do with himself. He said that he had enrolled in college, where he would begin a postgraduate degree in pure physics on 1 September. That is what we need to hear. He lived in the university city of Dublin and intended to return to third level education, while the woman of whom I spoke went down to her local further education centre to study for a European computer driving licence.

Those are the success stories, and there is great demand for such services. In September of any year, the No. 1 bestseller in any town is the list of night courses for the year, showing what appetite exists. I want to move that forward and examine what we could and should be doing.

That brings us back to the issue of broadband. We have all heard the debates, and we are on overload. The roll-out of broadband is simply not happening. I remember saying from this seat that the day we sold Telecom Éireann and lost ownership of that copper wire it was clear we would never get broadband to Belmullet. While I acknowledge that Belmullet now does have broadband, there are many places between here and there that do not, including north Dublin. The only way to do that is to forget about ground connections and have satellite broadband all over the country. It would not be a huge investment, but it would be a very good one, meaning that one could have broadband everywhere.

I say that because just across the square is Hibernia College, which is now offering postgraduate teacher training courses. There is a great deal of controversy, since opinion is divided as to whether that is the way forward. The fact is that it is happening, and if there are problems, they can be resolved. There is certainly a process. The college is also offering degrees for professional people. I raise that because an adult in Kilbaha or Loop Head in the Minister of State's constituency is a long way from a university and other centres. There is great potential, particularly in women in the west of Ireland, who are bursting with energy and intellect that might enable them to make a different kind of contribution. I do not suggest for a moment that they are not making a

contribution in what they are doing, but they could advance themselves by taking on new roles.

I could make the same point regarding teachers in peripheral areas, who I know would like to study further. Many of them use the Open University. I do not know how one could make it accessible in a supportive way, with grants and so on for people around the country, but it offers a useful way forward. It is crucial that we open up to people, showing them what is available and allowing them to obtain qualifications and move on. It is now possible to gain professional qualifications on-line, such as through Hibernia College, which provides courses in teacher training, criminology and other legal subjects. One must have contact time at various points in the year, but one can do that at one's own convenience. There are great savings, and such courses contribute a great deal.

Another area is that of arts and culture, in which the Minister of State has gained experience over the years. If one was to visit the National Concert Hall, which is located in my constituency, on a Saturday night, one would discover that the audience is upper middle-class. Those who attend performances at this venue tend to be people with swanky accents. Why is this the case? At one stage, fine writers such as Brendan Behan and Seán O'Casey emerged from the ranks of the artisan, craft and trades classes. However, this is no longer the case. It now appears that one needs to be a graduate or have a white-collar job to understand Beethoven's Ninth Symphony. This is not the way it should be. It would be wonderful if we could show people from my own social class that an appreciation of good music and art is as likely to be found in the Willie Clancy Summer School as it is in the National Concert Hall. A confidence gap exists. People must believe and understand that art is their milieu and that whatever activities Muiris Ó Rocháin is engaged in down in Spanish Point is part of further education and the appreciation of our culture. At the same time, these people must realise that there is nothing wrong with playing jazz in Carrigaholt or wherever the jazz festival in County Clare is held. I have tried to wander around the Minister of State's constituency in my mind and I do not think I am doing too badly.

The Minister of State's own town of Ennis was the leading town in Ireland for establishing itself in the IT field. It was either the first or second ranked town in Ireland in the league of best-connected IT towns some years ago. This produces extraordinary potential for energy which we are not using.

There is considerable interest in alternative and renewable energy in the west of Ireland, about which we must learn. There is a considerable amount of material to be learned. People must be drawn into further and adult education and understand how they can contribute to alternative and renewable energy, appreciate nature and have a love of the environment, which does

not mean one cannot build a house. They need the confidence to make these judgments.

We must constantly connect further and adult education with developments in the wider world. Therefore, it must be tied into broadband and IT and the needs, policies and issues of the day so that ordinary people begin to see how waste might be managed and object to ridiculous proposals. I want people to be immersed in cultural activities if they so wish. Every apprenticeship should include a period of time spent examining drama or music because it would unlock a considerable amount of energy. I know a very successful Irish artist, one of whose paintings was featured in last week's newspapers and who painted the last portrait of Charles Haughey. He explained that he discovered his artistic bent when he began teaching art in primary school. Both of us have agreed many times that it is not enough to trust to this kind of serendipity. The education system failed him because his artistic nature should have been discovered as he progressed through the system. There must be many people like him who may have artistic talents within them which must be drawn out. I conclude by thanking the Minister of State for her continued commitment to adult and further education. The real measure will not be our words but the ticking off of the recommendations in the McIver report as they are being implemented.

Ms Tuffy: I welcome this debate on an issue about which I feel strongly. Adult and further education is a key area of the education system. Mention has been made recently of fourth level education, which appears to be a new term because I do not remember it being used in the past. Adult and further education should be called fourth level education. The concept of lifelong learning should be the central concept in our education system from which everything else springs.

Our education system is still very much based around giving individuals one shot at its different levels, albeit to a lesser extent than before. Individuals get one shot at primary and secondary education and the leaving certificate, which presents the opportunity to go on to third level education. Therefore, if a person fails or does not sit the leaving certificate, he or she has missed out on his or her dose of education. We must move away from this model. The way to vindicate people's right to education is to make lifelong learning the central concept in the education system.

Our society will also benefit economically from lifelong learning. I agreed with the point made by Senator O'Toole when he spoke about the wonderful talents which can emerge in mature students. I was not a mature student for the majority of my time at university but it appeared to me that mature students were often the most motivated. A friend of mine who has returned to university to study for a degree is obtaining very

good results, is extremely motivated and loves the chosen subject. Mature students are possibly more motivated than students who enter university from second-level education because they are not pursuing their course of study because of family expectations or peer pressure. They are pursuing particular courses of study because they want to study these subjects. They could be taking a step back in terms of their career or the course could take up a considerable amount of time because they will continue working but they have decided to return to education because they are very interested in their chosen subject. Mature students often receive distinctions or first-class honours degrees so a considerable amount of talent enters the system. Senator O'Toole spoke about an individual who returned to pursue a postgraduate course in pure physics. These people possess expertise which could be very important for our knowledge economy and ensuring Ireland's competitiveness.

Lifelong learning must become the central concept around which the education system is built. A flexible model of education is needed, particularly at third level. People should be able to study as part-time students during the day or night and transfer from full-time to part-time study and *vice versa*. People should be able to study in different stages. If I had dropped out of my degree course, the chances are that I would not have had the opportunity to return to education. The system should be organised so that if a person pursues a third-level course for two years, he or she should receive some kind of qualification to which he or she can add at a later stage. This should be the basis of our system which should also allow students to study for short or long periods of time. I agree with the call by AONTAS to extend the free fees initiative to cover part-time study.

For any course covered by the free tuition scheme at full-time level, a part-time course should also be available. If there is a flexible model of education, the cost of such *1 o'clock* would be absorbed, as people who have already paid for full-time courses may drop out and there are thousands of vacant places in the CAO system each year. Some of the vacant places could be filled by part-time students who would get the benefit of the free fees initiative. A costing has been carried out by AONTAS and the amount of money involved is not significant. One would see benefits to the economy in other ways. Our system should take this route.

Ireland needs an open university-type system similar to that in the UK. One can study for Open University courses here. Recently, I examined a brochure for such and it appeared to be an attractive way of pursuing further education. One can do short courses for a few months each, but they can be added together to form a degree. A number of subjects are interesting. For example, if one is studying science, it could relate to drugs

[Ms Tuffy.]

in society. They are attractive as short courses and can be used towards full-time degrees.

Although Open University courses are available here, a number of courses are UK-specific, such as the criminal justice system. As such, it is important for Ireland to have its own open university system, but not one in which one must go to Maynooth or wherever. One should be able to access the system anywhere in the country and it should not be tied to any university or a number of universities. An Irish system could be undertaken in partnership with the UK's Open University.

Senator O'Toole mentioned the use of technology. The Department supports the idea of outreach centres to provide opportunities for third level study. A plan was adopted for the development of Adamstown, a requirement of which was ICT incubation units with a third level outreach aspect. For this to succeed, the Government must be more proactive in driving the initiative so that there would be outreach centres in various parts of the country. In Adamstown, the idea of the centre was to access studies from the Institute of Technology, Tallaght, National University of Ireland, Galway, or so on.

Technology and, for example, webcasting should be used more in further education, which I suggested in respect of providing literacy education. Many people will not go to literacy classes provided in a particular building. However, if material were provided on the Internet, it would be one way to reach out to communities, such as foreign nationalities who would then be able to access education. This matter should be developed and supported by the Government.

Minister of State at the Department of Education and Science (Miss de Valera): I thank Senators who contributed to this debate. I am appreciative of the kind remarks made by those on both sides of the House.

I will do my best to address the general issues raised by Senators. Senator Ulick Burke mentioned that I made many references to literacy in my initial contribution. The reason is that the Government has prioritised the area of literacy. If we do not have literacy, we do not have the foundation stones on which to build. When examining the core matter of literacy, I recognise that one of my responsibilities in the Department of Education and Science is the promotion and determination of initiatives to tackle disadvantage. Literacy problems are often compounded by poverty and the social exclusion that follows. When addressing literacy, one tries to provide a one-to-one situation for those who have few literacy skills and to build such up to the point where tutors can take over. One also tries to promote literacy in the family, which is the way forward.

The Senator also referred to the importance of workplace literacy, in respect of which I could not agree with him more. We need to place further

emphasis on this area. The National Adult Literacy Agency is working with the Department to determine how to promote the issue of workplace learning, particularly concerning men, as fewer men than women take up literacy courses. I spoke with the Minister for Enterprise, Trade and Employment, Deputy Martin, who has been working on the issue of workplace learning and has provided €2 million in the Estimates to ensure his Department carries out its responsibilities in that regard.

Further discussions must take place with employers. I had an opportunity to talk to those who provided literacy programmes in other countries, particularly the United States, which is far ahead of Ireland. There is a recognition among employers in the US that literacy courses should be provided. A great deal of discussion must take place before we can advance the issue, but I am sure there will be good will on all sides.

Regarding further and adult learning, it is important to realise that the most disadvantaged groups must be given priority. I have referred to literacy, but we must also address Youthreach, VTOS, BTI, senior Traveller training centres and plcs. Upon examination, the numbers involved are interesting. A total of 35,000 people are involved in literacy programmes — 3,300 in the Youthreach programme, approximately 1,200 in the Traveller centres and 5,500 in VTOS. Under the recently completed partnership talks, we hope to have an additional 1,000 places in the Youthreach programme by 2009.

These areas have great need in terms of funding and support from the Department. As such, they are our priorities. In so doing, we have paid particular attention to the PLC area. I agree with Senators who said the growth in that area has been organic. There was a need in the community and, because of it, PLCs have been provided. For this reason, it is important to recognise that the number of places has increased by 60% since 1997. Indeed, this year has seen a substantial increase on last year.

We recognise the importance of expansion through approved places and teachers. We introduced maintenance grants for students with effect from September 1998 and tuition fees for PLC courses have been waived. As such, there is a definite recognition of the importance of PLCs, not only for the individual concerned, but for society, which will gain as a result.

I thank all Senators for recognising the good work of the VECs, which form the network through which this provision is laid for participants. As the Minister of State with responsibility for adult and further education, my role is to fund VECs. After discussions with them, we realised that further co-ordination and the development of necessary supports were necessary. As such, we welcomed the 37 new community education officers in the VECs.

From time to time, we have all had the opportunity to discuss the McIver report, in respect of which I will provide Senators with an update.

Discussions are ongoing with the IVEA on issues in the McIver report. Once I receive the official document from my officials I will consider it. The decisions agreed may require further discussion with the unions but I want to extend the role of PLCs and have every intention of working with the IVEA on that agenda.

I will reiterate the words of the social partnership draft agreement on the McIver report and PLCs in general: "Having regard to developments in the PLC sector, including the McIver report, concrete prioritised proposals in relation to PLC provision and focused in particular on the larger PLC providers will be prepared and will be the subject of further negotiation between management and unions". In the context of the PLC sector, McIver stated that the top 43 colleges of the 210 PLC providers have over 150 students. Those colleges are a focus of the report and I will try to support their progress, and to further the development of the other PLCs, as well as all other elements of further and adult education. In recognition of the importance of further and adult education the Government has provided €146 million in funding.

Senator Fitzgerald was correct to advocate partnership because that is the way forward for further and adult education, indeed all education. Partnership is a sound base on which to work from a community point of view.

Senators also referred to the importance of certification. The national qualifications framework has been very helpful for all elements of the education sector. It has been particularly important for adult and further education because it recognises the possibility of progression. In that context guidance is particularly important. That was referred to by many Senators this morning, not least Senator Ormonde, who has extensive professional experience in the area.

Senator Feighan acknowledged that resources had improved in the area of further and adult education but asked about second chance education and choice. I agree with him that the funding of adult education is important for the individual but can also have a positive knock-on effect on the economy. It breaks the link with poverty and provides employment prospects and the greater potential for higher earnings. It provides people with an opportunity to escape the clutches of crime and poor health, and relieves dependency on social welfare. It also provides an opportunity for socialisation for people who might not otherwise have such an opportunity.

Senator O'Toole called for recognition of the contribution of older people to society. Until now many were forgotten and did not have the opportunity of second chance education. Like Senator O'Toole I have heard at first hand from those who have had the opportunity at second level. Failure to recognise the potential contributions of

such individuals would represent a tremendous waste of talent. We must ensure second chance education is provided to all those who wish to avail of it.

It is also important to get the message across that such courses are available. It is not enough to provide courses unless people are well aware of them and appreciate the value of learning. That emanates from the family.

Senator Tuffy stressed the importance of flexible models. Further and adult education must be flexible because people of an older age group have very different responsibilities and obligations. If they are to be in a position to take up the education that is offered then we must ensure it is flexible and we are working toward that.

I congratulate those who took part in the debate. Much is happening in the area. Senator Ormonde referred to home school completion programmes and the importance of tying in learning to the family. The DEIS programme emphasises the importance of those links as a way of eradicating disadvantage. Family literacy will have a similar emphasis.

There was a reference to migrants and migrant learning. Some 35,000 avail of literacy programmes 10,000 of whom are in the ESOL programme, which shows how Ireland is changing and points up the needs to be met of new entrants to programmes, who may come from a different cultural and linguistic background. We need to upskill and demonstrate how skills can lead to further progression along the education continuum. The networks are in place and adult guidance plays an important role. There is a strong PLC sector which we acknowledge by funding and staffing.

Under the social partnership draft agreement the Youthreach programme will contribute an additional 1,000 places by 2009. We believe every person of working age should have access to life-long learning and we want to enhance the national literacy service, delivered by the VECs, by the provision of an extra 7,000 places by 2009. Guidance counselling will be provided for literacy and language learners and the needs of migrants will be considered in the context of the education equality initiative. Measures will also be adopted to monitor and evaluate progress in this area. The back to education initiative will be expanded by 2,000 places by 2009.

At every level there are indications of how we wish to progress. Investing in further supports and measures for further education will include needs assessment, technology support, community-based strategies, child care support and access routes. Adult and further education is a wide area but constitutes an important element in the progression of the individual and in the search for further inclusiveness in our society. I assure all Senators that as long as I am in this position I will continue to work as hard as I can to secure further funding for the sector.

Sitting suspended at 1.20 p.m. and resumed at 2.30 p.m.

European Communities (Amendment) Bill 2006: Committee and Remaining Stages.

Sections 1 and 2 agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

Question proposed: "That the Bill do now pass."

Mr. Bradford: Not unexpectedly, Committee and Report Stages of the Bill have moved very swiftly through the House. As we said on Second Stage during our quite lengthy discussion with the Minister of State, Deputy Treacy, this is a positive further step on the road to broadening the European family, although the citizens of Bulgaria and Romania will not necessarily be cheering on the streets today or will not be tuning into "Oireachtas Report". The fact it is only a few decades ago since similar legislation was passed by other parliaments throughout Europe to allow the accession of Ireland to the European Economic Community in 1973 shows we are taking a significant step and are moving towards the accession of two more countries into the European Union. These two countries were under the influence of the Soviet Union and were behind the Iron Curtain for far too long.

I noted the Minister of State's enthusiasm for the project last week and his realism in terms of further European Union integration in that it must be done in a careful and planned fashion. We must ensure the business of countries joining the Union is sorted out from governance, democracy and fiscal points of view. That is the challenge we are laying down for Romania and Bulgaria and, hopefully, they will meet it in the near future.

This is another part of project Europe, which is welcome. Eventually, we will have to conclude that project, although there are still quite a number of countries whose future is in the European Union. I congratulate the Minister of State on bringing forward the legislation and I was glad to have the chance to co-operate. Hopefully, Bulgaria and Romania will meet the necessary criteria in the not too distant future and will join us as partners in the European Union.

Mr. Lydon: I thank the Minister of State, Deputy Treacy, for his presentation on the Bill which, although short, is very important and involves the expansion of the European Union. It heralds the way for two further countries to join the family of the European Union in peace. After all, that is what this is about. It is not about trade, commerce or anything else; it is about peace. People of my age who as children remember the

last world war when so many people lost their lives and so much destruction of property and infrastructure took place, can not only look forward to the future but to the expansion of the European Union as more countries adopt democratic reforms and become democracies. We welcome, in particular, as friends countries such as Romania and Bulgaria which have suffered so much from oppression. I hope their accession goes ahead on 1 January 2007.

Minister of State at the Department of Foreign Affairs (Mr. Treacy): As we look towards the completion of the fifth enlargement of the European Union, I reiterate my pleasure at the strong support of this House for the European Communities (Amendment) Bill 2006. On behalf of the Government, I sincerely thank the Senators and political parties for their valuable and positive contributions. This is a short and critically important Bill which is a major instrument in enabling Ireland to ratify the accession of Bulgaria and Romania into the European Union. There was a very good debate on the Bill in both Houses, which was important. I thank my colleague, the Minister of State at the Department of Enterprise, Trade and Employment, Deputy Killeen, for dealing with the Bill in my absence yesterday.

Last Friday I had the pleasure of deputising for the Taoiseach at the European Council where a solid, consensual approach was taken by all the Heads of State to welcoming Bulgaria and Romania into the European Union. They expressed the hope that both countries would be able to meet the 1 January 2007 deadline. I echo what Senators Bradford and Lydon said in that we all wish both countries well and hope they meet all the necessary criteria to enable their accession on 1 January next.

We have looked forward to the passage of this legislation and to Ireland's ratification of the accession treaty in 2006. I also look forward to welcoming Bulgaria and Romania as full partners in the European Union. Their presence among us will be to our mutual benefit in the future. It is critically important that we are able to continue with the European project and that we give equal opportunity to other countries in the greater European landmass and those adjoining it in the old European continent to be able to join us in the great democratic opportunity the European Union has created for all of us over the years. We have benefited immeasurably from it and we always have a strong desire to ensure we can confer similar benefits on those who want to join us in the European Union.

I wish Bulgaria and Romania every success and look forward to working with them as full partners and as equals in the European Union in the exciting years ahead for all of us. I thank the House.

Question put and agreed to.

Sitting suspended at 2.40 p.m. and resumed at 3.30 p.m.

National Economic and Social Development Office Bill 2002: Report and Final Stages.

An Leas-Chathaoirleach: I welcome the Minister of State, Deputy Tom Kitt, to the House. Before calling on him to speak, I would like to welcome the leader of Fine Gael, Deputy Enda Kenny, and a group from Killavally, better known as Killawalla, national school in Westport, County Mayo, including the principal, Mr. Mairtín Ó Maicín, and other members of the teaching staff. They are very welcome to Leinster House.

Before commencing with the Bill before us, I wish to remind the House that a Senator may speak only once on Report Stage, except the proposer of an amendment who may reply to the discussion on the amendment. Also on Report Stage, each amendment must be seconded.

Amendments Nos. 1 to 4, inclusive, are related and may be discussed together.

Mr. Ryan: I move amendment No. 1:

In page 5, line 8, after “AS” to insert “OIFIG NÁISIÚNTA D’FHORBAIRT EAC-NAMAÍOCH AGUS SHÓISIALACH, OR IN THE ENGLISH LANGUAGE”.

I am reintroducing these amendments, which we discussed yesterday, not because I am annoyed but because I think the Bill contains a measure of drafting inconsistency. I can find no convincing reason for the Government not to accept them, other than some disposition not to do so. They are consistent with a large part of our corpus of legislation. They are also consistent with the statement that there are two official languages and that the Irish language version of Bunreacht na hÉireann is the definitive text. Where there is ambiguity or uncertainty, the Irish language text of Bunreacht na hÉireann determines the meaning.

Mr. B. Hayes: I second the amendment.

Minister of State at the Department of the Taoiseach (Mr. T. Kitt): As Senator Mansergh and I said on Committee Stage yesterday, the Long Title of the Bill is merely a descriptive term outlining what is contained in the Bill. What counts is what is in the body of the Bill itself. In the Irish version, the names of the bodies were inserted into section 6 of the Bill on Committee Stage in the Dáil in response, quite rightly, to Opposition amendments. On the basis of advice from the Parliamentary Counsel, I do not propose to amend the Long Title of the Bill.

I share Senator Ryan’s interest in the Irish language but I think we are splitting hairs to a certain extent. I accept that it has been done in other Bills but this was the advice of the Parliamentary Counsel on this matter. It is in the Long Title of

the Bill, which is the main thing. It is on page 1 of the Bill, as Senator Mansergh pointed out, and is also on the back page of the Bill, as was read out yesterday. The English description of what the Bill is all about is on the right-hand side, while the Irish description appears on the left-hand side. That is as far as I can go.

An Leas-Chathaoirleach: Is the amendment being pressed?

Mr. Ryan: I am intrigued. There are two issues involved here. One is the status of the Irish language, about which Fianna Fáil can sometimes be very eloquent. I wish its deeds matched its eloquence but, nevertheless, there is a considerable group of people within Fianna Fáil with whom I would identify because of their genuine commitment to the Irish language. I am thinking in particular of people like Senator Ó Murchú.

A separate issue, however, is how in God’s name the Parliamentary Counsel can advise the Minister of State that this is inappropriate when somebody else called the Parliamentary Counsel has inserted identical phraseology in other Bills? That question warrants a simple answer. If we end up with a situation where Government Ministers come to this House with contradictory advice because the individual in the Parliamentary Counsel’s office takes a different view, we are not getting official advice, we are getting individual eccentric opinions.

All I want to know is how we can have two different pieces of advice from the Parliamentary Counsel about the Long. I do not have a major hang-up about this but I hate sloppiness. I also hate the fact that this House has spent a ridiculous amount of time on the matter. The Minister could have accepted these amendments in the other House and we would now be done with it. There is plenty of evidence that is the way some Parliamentary Counsel operate. Depending on whose desk it lands on in some office — although I am never quite sure which office it is — we will either have the Irish version or we will not. That is not the way to do business in 2006.

Dr. Mansergh: May I speak?

An Leas-Chathaoirleach: Senator Mansergh cannot speak on the amendment. I call an Aire Stáit.

Mr. T. Kitt: I would be glad to allow Senator Mansergh to contribute.

An Leas-Chathaoirleach: He is not allowed to speak after the Minister on Report Stage.

Mr. T. Kitt: This Bill has been in gestation for some time. We have progressed along the way and have listened to the Opposition. We have, rightly, done something in section 6 with regard to the Irish language. Senator Ryan is coming forward with a proposal at this stage. Whatever

[Mr. T. Kitt.]

about the Parliamentary Counsel, Senator Ryan is right in saying that the responsibility rests with the Minister at the end of the day. I am simply saying that we have made changes along the way.

Senator Mansergh, who has not been allowed to speak on this amendment, made his own point yesterday. The first thing one sees is the Title of the Bill in Irish on the front of the document. It also appears on the back page and in section 6. It is not in the Long Title which is merely a descriptive term outlining what is contained in the Bill. I do not think this is a matter of life or death. I accept there is a duty on all of us to promote the Irish language but, quite frankly, I think there are other ways in which we can do so. We have come a long way with this legislation and I am anxious to get it enacted. Hopefully, we can go from here to the Dáil before the end of this session. I am not prepared to accept the amendment.

Dr. Mansergh: On a point of order——

An Cathaoirleach: Excuse me. I understood that these four amendments were being discussed together and that Senator Ryan had replied to them. Is that correct?

Mr. Ryan: I have spoken, yes.

Dr. Mansergh: On a point of order, a Chathaoirligh, is it in order to describe a public servant — the Parliamentary Counsel — as sloppy and eccentric?

An Cathaoirleach: I did not hear that being mentioned in the House.

Dr. Mansergh: I have to say that I deprecate attacks on people who are not in a position to defend themselves.

An Cathaoirleach: The Senator is out of order.

Amendment, by leave, withdrawn.

Amendments Nos. 2 to 4, inclusive, not moved.

Government amendment No. 5:

In page 5, to delete line 27 and substitute the following:

“2.—In this Act—”.

Mr. T. Kitt: The amendment proposes to delete the words “unless the context otherwise requires” from section 2, which lists the definitions. I am advised by the Parliamentary Counsel that this is no longer required as a result of the Interpretation Act. This is a tidying-up exercise.

Mr. Ryan: This is neither sloppy nor eccentric.

Ms O'Rourke: It is detailed and precise.

Mr. Ryan: However, a process which allows contradictory advice to come from two different staff members in a Department is sloppy and eccentric. That is not a commentary on either of the individuals involved, or any number of individuals, but is a commentary on the process for which — I do not want to be nasty about this — the Chief Whip is one of those who should take responsibility. He is supposed to organise this business and he should do so in such a way that Ministers do not get contradictory advice depending on which individual is involved. That is sloppy.

Mr. T. Kitt: I will pursue that issue.

An Cathaoirleach: The Minister of State will have an opportunity to reply. I call Senator Mansergh.

Dr. Mansergh: I am sure parliamentary draftsmen and civil servants follow closely what is said in the House on Committee Stage. Having taken that into consideration, they have given the Minister advice. It is not necessarily the case that the same procedure is always adopted for Bills that have a short Long Title and those that have a long Long Title, such as this Bill. I reject the aspersions cast on the Parliamentary Counsel as there seems no basis for them. Having taken account of yesterday's debate, I am sure there are good reasons for the position.

Mr. T. Kitt: I appreciate that Senator Ryan is not objecting to the amendment. As Senator Mansergh stated, it is not only civil servants but also Ministers who listen to our debates and peruse the results of our deliberations. I take heed of what has been said and of the legitimate point with regard to consistency. I take on board Senator Ryan's point and will raise the matter at Government level with the parliamentary system and those who assist us in that system. We have previously discussed the Interpretation Act and consolidation Acts. There is a good argument for consistency but there is a valid point which I will pursue as a result of this debate.

Amendment agreed to.

An Cathaoirleach: We move to amendment No. 6. Amendments Nos. 7 to 17, inclusive, are related and the amendments may be discussed together. Is that agreed? Agreed.

Government amendment No. 6:

In page 6, line 22, to delete “by the Taoiseach”.

Mr. T. Kitt: The purpose of amendment No. 6 is to delete the words “by the Taoiseach” from section 5, which deals with the expenses incurred in the administration of this Act. I am advised that this amendment will make the Bill consistent

with the similar section, section 6, of the Statistics Act 1993.

I do not propose to accept amendments Nos. 7 to 17, inclusive, the effect of which would be to airbrush the Minister for Finance out of the Bill. As the House will appreciate, under public financial procedures and the legislative framework for public expenditure, the sanction of the Minister for Finance is required for public expenditure, notwithstanding that general approval may already have been given by the Dáil. The Minister for Finance — this is the important point — is constitutionally and legally responsible for the administration of all public funds. It would not be appropriate or correct, therefore, for me to accept the amendments.

I have checked two Acts which were sponsored by the Taoiseach, namely, the Irish Sailors and Soldiers Land Trust Act 1988 and the Statistics Act 1993 to which I referred. In both Acts the sanction of the Minister for Finance is required in regard to expenses incurred. I do not propose to deviate from that precedent in this Bill.

For both these reasons, therefore, I cannot accept the amendments. The constitutional position is straightforward.

Mr. Ryan: The constitutional position is extremely clear. I wish to move my amendments.

An Cathaoirleach: The Senator will speak to the amendments and we will then dispose of them.

Mr. Ryan: All of my amendments are of a similar tone. It is simply not true to suggest the Minister for Finance has a constitutional position which requires that the Taoiseach receives his or her permission. It could not be the case. I checked the Constitution. I accept that the office of the Minister for Finance is a constitutional position but the fundamental constitutional principle is that the Taoiseach appoints the Minister for Finance and can dismiss that Minister without reason or explanation, just because he or she wants to. That is the way the Constitution was written and it is the way every Government operates.

The Minister for Finance is not somebody who can withhold a decision from the Taoiseach. If the Constitution intended that, there would be a procedure for dismissal. The Taoiseach can decide to dismiss the Minister for Finance today. If the Minister refuses, the Taoiseach can tell the Minister he or she has to go. No qualification is attached to that. How could it be logically and constitutionally consistent to suggest that a subordinate would have a veto over the decision of his or her superior? It is meaningless.

This is part of what I have believed for many years to be a necessary campaign to get rid of the Stalinism in our public sector and public services, which has the result that the Department of Finance believes it knows best for everybody and

that it can micromanage everybody. I know ex-Ministers — I am not referring to present company — who have suffered from the determination of junior officials in the Department of Finance to tell Ministers what they can and cannot do in the name of the authority of the Department of Finance.

This country has collective Cabinet responsibility. The idea that one member of the Cabinet would have authority over another member of the Cabinet contradicts collective responsibility because there cannot be collective responsibility if one person can tell another what to do. However, that is a separate issue.

On this issue, the Bill contains certain language. Section 18(6) states, “There shall be paid to the members of a body such remuneration (if any) and such allowances for expenses incurred by them as the Taoiseach, with the consent of the Minister for Finance, may from time to time determine.” So, in order for the Taoiseach to decide how much should be paid, he would have to get Deputy Cowen’s permission. Deputy Cowen is only Minister because the Taoiseach appointed him. How could it be constitutionally consistent to say the Taoiseach must get the Minister’s permission?

Perhaps the most extraordinary part of the Bill is the section which concerns superannuation. Section 27(6) states, “If any dispute arises as to the claim of any person to, or the amount of, any superannuation benefit payable in pursuance of a scheme or schemes under this section, such dispute shall be submitted to the Taoiseach [which is fair, as he is responsible] who shall [not “may”] refer it to the Minister for Finance, whose decision shall be final.” That utterly contradicts the constitutional structure of authority in this country and gives a totally disproportionate amount of power to the Department of Finance.

A convenient excuse is being used by the Minister of State, namely, that in order to be consistent with another Bill, the reference to the Taoiseach is being deleted. In truth a constitutionally unsustainable position, that the Taoiseach could ever require the sanction of the Minister for Finance whom he has appointed, is being deleted here. It is like suggesting the chief executive officer of a company requires the sanction of a subordinate that he has appointed. It may be sensible to use the words “consult with” and “seek the agreement of”, but to suggest the Taoiseach could be vetoed on anything by a subordinate Minister is constitutional nonsense.

Ms O’Rourke: I never thought I would see the day when Senator Ryan advocated dictatorship. This is essentially what he is suggesting, that the Taoiseach be top dog in everything and his word never gainsaid. This would be an incorrect way to do business. Many people commented last week that a particular person who passed away, God rest his soul, was a dictator and so on. This element of the Bill is correct. I do not know how

[Ms O'Rourke.]

many Departments I have been in where everything had to be referred to the Department of Finance. Departmental officials listen to Ministers' references to spending in debates on Bills and so on and note whether subversive things have been said, which we all say from time to time. I cannot believe that Senator Ryan is advocating that the Taoiseach become a dictator.

Mr. Ryan: That is not quite what I said, but in the spirit of a fine sunny afternoon I refuse to be provoked.

Ms O'Rourke: Senator Ryan is an advocate of dictatorship and I never thought I would see such a day in this Chamber. It is proper that the Minister for Finance must cast his eye over all of these ideas and plans to examine their spending and misspending potential.

Mr. Ryan: Should he be able to veto the Taoiseach?

Ms O'Rourke: Of course he should.

Mr. Ryan: What would the Taoiseach do then?

Mr. B. Hayes: He would resign.

Mr. Ryan: That is what it looks like.

Ms O'Rourke: The idea is that the Taoiseach and Minister for Finance would work together. I know the incumbent in the Office of the Taoiseach would not seek to be a dictator. I do not approve of Senator Ryan's amendments; I approve of whatever the Minister of State at the Department of the Taoiseach, Deputy Tom Kitt is about to say.

Mr. B. Hayes: I regret that I was not in this House yesterday for the second round of the Committee Stage debate.

Ms O'Rourke: So do I.

Mr. B. Hayes: However, on the first round of the Committee Stage debate we embarked upon this interesting amendment that Senator Ryan put to the House. It is proper that if a Department is embarking on a spending programme the Department of Finance should play a part. If the Department of Education and Science seeks to spend a certain amount of money it is right that, at some point, the Department of Finance must consider the purse strings. We can understand the Department of Finance exerting a degree of control over spending by Departments and, although we often complain about it, it is an important part of administration.

Problems arise where this control relates not to Departments, but to officeholders. The fact remains, the words "with the consent of the Minister for Finance" bring into question the roles of

Minister for Finance and Taoiseach. In my Second Stage contribution I was critical of the fact that the Taoiseach can produce committees at will, *ad hoc*, long-term, medium-term committees and so on. This power is clearly given to him in the section to which I referred on Second Stage. The Taoiseach has the power to do all this without recourse to anyone. Significant powers are already given to the Taoiseach in the Bill as part of his job of making the partnership process work as leader of his Department. The subordinate role that the Taoiseach could find himself in following the passage of this Bill, should a Minister for Finance refuse to consent to a spending programme, would leave us in a constitutionally dangerous situation. It is appropriate that, at the very least, we debate it in this House. It could be argued that this entire Bill should be with the Department of Finance. At least there would then be clear lines of control.

Mr. Ryan: That is what those in Department of Finance think.

Mr. B. Hayes: The clear *de facto* position is that the Department of Finance will ultimately have control of this.

There is a contradiction here. If the Bill gives the power to the Department of the Taoiseach to establish and dissolve committees without recourse to anyone, the ultimate power, in terms of financial purse strings, lies with the Minister for Finance. This represents a constitutional contradiction and I await the Minister of State's reply.

Dr. Mansergh: Senator Brian Hayes may have to hear my view first.

Mr. B. Hayes: I await it with bated breath.

Dr. Mansergh: We have heard a most extraordinary broadside against the role of the Minister for Finance. I remind Senator Hayes that the Cumann na nGael Government of 1922-23 introduced our system of public administration, particularly a system of financial administration that gave a central role to the Department of Finance. One can argue that for the first 30 or 40 years of the State a tight, conservative financial policy was followed that may be criticised. When we reached the 1970s that control loosened to an unacceptable extent. For the last 20 years this country has prospered in a way not seen before and an integral part of this has been a massive improvement in our public finances which has reduced a debt of 125% of the gross national product to approximately 25% to 30% this year. This achievement is matched almost nowhere else. The notion that one would not make certain spending subject to the approval of the Minister for Finance is untenable.

The Taoiseach appoints the Minister for Finance and can, in theory, dismiss him or her. I

cannot recall any occasion, in over 80 years of independence, when this has occurred and such an action would send out considerable shock waves unless there were very particular circumstances to justify it.

This Bill does not mean that the Taoiseach is, in any way, subordinate to the Minister for Finance; it relates to the financial sphere. I am some-

thing of an expert on the later years
4 o'clock of the French absolute monarchy.

The king could sign *un bond*, the equivalent of a cheque or financial order, but it was the controller general of finances who decided if it could be paid. There were occasions when it could not be paid. I do not think this Bill creates any constitutional problems. The Minister for Finance is given a particular job to do and our system of public administration of finances and economics over the past 20 years has triumphantly vindicated itself.

I assure Senator Ryan and Senator Brian Hayes that if Deputy Rabbitte were to become Minister for Finance——

Mr. Ryan: Senator Mansergh means when, not if.

Dr. Mansergh: If Deputy Rabbitte were to become Minister for Finance there would be no change in the relationship between the Minister for Finance and the Taoiseach.

Mr. B. Hayes: The only difference is the Minister for Finance would not be blamed for the problems experienced by the Taoiseach and dispatched to Brussels.

Dr. Mansergh: I do not want to personalise this as it would be true of any Minister for Finance under any Government. I assure both Senators that were they in Government they would not alter the system one iota.

Ms O'Rourke: We will not go down that road.

An Cathaoirleach: Order, please.

Mr. T. Kitt: I heard there was something about debates in the Seanad in the afternoon.

Ms O'Rourke: I wonder what it is.

Mr. T. Kitt: I was wondering if I was hearing things. We are dealing with a serious issue and I was wondering if Senators Ryan and Brian Hayes were serious. Effectively, this is all about accountability and treating the Taoiseach the same as any other Minister.

Mr. B. Hayes: He is accountable to the House.

Mr. T. Kitt: I know he would be happy to be treated the same as everybody else. The Minister for Finance has constitutional responsibility for the administration of all public funds. As Senator

O'Rourke said, what Senator Ryan suggested is touching on a dictatorial type of regime. If this is a flavour of a new potential rainbow between my two colleagues on the right I would have some concerns. Effectively what the Senator is saying is that the Taoiseach should be in a position to overrule normal procedures.

Mr. B. Hayes: He is accountable to the House.

Mr. T. Kitt: Senator Brian Hayes's party leader who was in the Chamber earlier has posters up around Dublin indicating he will lock up criminals. This suggests he is going to ignore or overrule——

Ms O'Rourke: He is going to sack those who waste money.

Mr. T. Kitt: ——the courts system and the Minister for Justice, Equality and Law Reform. A theme is emerging that we should have an all-powerful Taoiseach. That would be very dangerous.

Ms O'Rourke: He is going to turf them out of accident and emergency departments.

Mr. T. Kitt: Let us be careful. We have a steady, accountable system in place to which the Taoiseach is happy to adhere. As Senator Mansergh said, the Taoiseach has to choose his lieutenants wisely, particularly the Minister for Finance. I have worked with many Ministers for Finance and the current Minister for Finance is a responsible and enlightened Minister who takes his role seriously in liaising with other Departments. The Taoiseach agrees that there should be no difference in the way our Department, the Taoiseach's Department, deals with these areas. This is about accountability and procedures and systems that have been in place through successive Governments, including that of which the Senator was a member. I certainly hope they will not change the system.

Ms O'Rourke: They will not get a chance to do so.

An Cathaoirleach: Order, please.

Mr. Ryan: May I respond?

An Cathaoirleach: No.

Mr. Ryan: I have amendments tabled——

An Cathaoirleach: Senator Ryan, please——

Mr. Ryan: If I had realised that I would not be allowed to reply to my own amendments, I would not have agreed to them being grouped.

An Cathaoirleach: Senator Ryan, has spoken to his amendments.

Mr. Ryan: Yes, but I am entitled to reply.

An Cathaoirleach: No, the Senator has spoken to his amendments.

Mr. Ryan: When I move an amendment I am entitled to reply under Standing Orders.

An Cathaoirleach: The Senator has not moved the amendment yet. Even at that stage——

Mr. Ryan: I will learn in future not to be agreeable.

An Cathaoirleach: That is the Senator's prerogative. Order, please.

Amendment agreed to.

Mr. Ryan: I move amendment No. 7:

In page 6, lines 23 and 24, to delete “, to such extent as may be sanctioned by the Minister for Finance,”.

I still believe I should have the right to reply.

An Cathaoirleach: The Senator has spoken on the amendment.

Mr. Ryan: I agreed to a procedure for convenience.

An Cathaoirleach: The Senator could have taken them separately if he wanted to reply.

Mr. Ryan: In future on Report Stage I will not agree to amendments being grouped.

An Cathaoirleach: That is the procedure.

Mr. B. Hayes: On a point of order, when a grouping system applies it is normal that the proposer of the amendment has the right to reply.

An Cathaoirleach: So far as I know when a grouping system is agreed, all the amendments are discussed and the mover of the first amendment replies. That is the position.

Mr. B. Hayes: Given that the first was a Government amendment——

An Cathaoirleach: Unfortunately it is a Government amendment. I know it does not appear right——

Mr. B. Hayes: The majority of the amendments in the group are in the name of Senator Ryan.

An Cathaoirleach: I appreciate that but Senator Ryan could have asked at the beginning that his amendments be taken separately.

Mr. B. Hayes: May I be helpful?

Mr. Ryan: We learn all the time.

Mr. B. Hayes: Standing Orders give the Chair absolute discretion in respect of the procedures of the House. Given that the majority of the amendments were in the name of Senator Ryan, I suspect one reply would not be over the top.

Ms O'Rourke: He could speak on all the amendments.

An Cathaoirleach: No. We agreed to take all the amendments together.

Mr. B. Hayes: In fairness, it is only one speech.

An Cathaoirleach: I will allow Senator Ryan to reply although I do not think it is in order to do so.

Mr. Ryan: I appreciate the Chair's indulgence. I am not trying to turn the Taoiseach into a dictator. What I am trying to do is to reinforce a constitutional order which clearly only applies in the case of the Taoiseach. My own view is that a phrase such as “the Taoiseach, with the consent of the Minister for Finance”, is a standard, stock phrase that goes into all legislation where it would be “the Minister, with the consent of the Minister for Finance”. I think it is included in this Bill in error because it is the standard way of doing things. I believe it is an error and that it should be amended. That is all I wanted to say. I believe it is an error because of the unique position of the Taoiseach *vis-à-vis* the Minister for Finance, which is different to that of any other Minister.

Mr. B. Hayes: I second the amendment.

Amendment, by leave, withdrawn.

Mr. Ryan: I move amendment No. 8:

In page 12, line 9, to delete “, with the consent of the Minister for Finance,”.

Mr. B. Hayes: I second the amendment.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Amendments Nos. 9 to 13, inclusive, not moved.

An Cathaoirleach: There is a typographical error in amendment No. 14. It should read, “In page 19, lines 2 and 3...,”

Amendments Nos. 14 to 17, inclusive, not moved.

Bill, as amended, received for final consideration.

Question proposed: "That the Bill do now pass."

Mr. Ryan: I thank the Minister of State, in spite of all my grumblings, for responding to a genuine issue. It is not easy to bring back legislation that has been around for four years. If a press release appears from me in which I make comments about incompetence that is part of politics. I appreciate the fact that the Minister of State did respond thoughtfully. In the later part of the debate we dealt with an issue that has interesting constitutional implications.

I wish the bodies well. We desperately need to deepen the concept of partnership. I am extremely unhappy — I have said this over and again — that one of the social partners, namely, the employers' group still has the right to refuse to allow its employees to be members of another one of the social partners and are *de facto* ensuring that many members are not in a trade union. Some 70% of the Irish workforce would like to be in a trade union but only 30% are in one. That other 40% are deterred, among other things, by the hostility of their employers. That is not a true spirit of partnership.

Arising out of these institutions, I hope people will have the right not to just to tolerate trade union membership but that it will be seen as a good thing for people to be members of trade unions and for trade unions to be involved in all forms of work. If that were the case it would deepen and extend partnership. The idea that a weakened trade union movement is anything other than bad for society, which wants to work by consensus, is a nonsense.

Mr. B. Hayes: I thank the Minister of State for the various Stages of this debate. This Bill was first published in 2002, and four years later it is finally going through the full legislative process, even though the three offices being established under this legislation have been up and running for some time.

Our deliberations this afternoon had as much to do with the question of the *ancien régime* and its relevance to the modern republic as the current issue, and the members of the established bodies might question if they are working in the right place. I thank the Minister of State for replying to some of the amendments. Responding to amendments is always useful and shows the importance of this House.

I wish those who work in the bodies every success. The most important factor of this Bill is that these bodies now come under the auspices of freedom of information legislation. This means we will, for the first time, be able to get some of the meaningful information behind many of the decisions made at partnership discussions. That is useful, as the matter was one of the criticisms of the benchmarking component of the last deal. It is useful that freedom of information provisions will be part and parcel of these new bodies.

I wish them well and agree with others in their congratulations on the conclusion of the latest round of partnership. It will be the subject of debate later.

Ms O'Rourke: As other speakers have stated, we are glad to see this Bill concluded. It seems to have gone on forever. Second Stage was a long while ago and I remember participating on it. I did not participate on Committee Stage because I could not be here. I am glad the Minister of State at the Department of the Taoiseach, Deputy Tom Kitt, took heed of an issue spotted by Senator Ryan with his eagle eye and which was subsequently reported on. A useful amendment was hence produced.

I have a point which does not relate specifically to this Bill. By chance I was watching BBC on Sunday morning last week. Harriet Harman, the constitutional affairs Minister in the UK, has introduced legislation in plain English. From last week onwards, when a Bill is published in the UK, one side of the page is legalese, while the other side of the page, directly facing, has the content in ordinary English.

Listening to Ms Harman, I thought this to be a good but simple idea. We all talk about this. Sometimes, we lay people can find it difficult to read legislation. For people whom it affects, legislation can be quite incomprehensible. A person would go to a solicitor, barrister or somebody in the legal profession to figure it out.

A person can open any Bill now coming from the Bills Office in Westminster and the left hand page will have legalese — the language of the draftsman, which they love — and the right-hand side has language that anybody can understand.

Mr. Ryan: The Senator should not insult the draftsman.

Ms O'Rourke: I am not insulting the draftsman.

Mr. Ryan: He will get upset.

Ms O'Rourke: The draftsman loves obtuse language. I recommend this idea to the Minister of State.

Mr. Ryan: Hear, hear.

Ms O'Rourke: When I hear the Minister of State speaking about this on the television or the radio, I will label it as plagiarism. It is termed as plain English legislation. Ms Harman introduced the idea three months ago and it is now in force. I realise the issue has nothing to do with this Bill.

I wish the Bill well. The idea of bringing these partnerships together is good. Each individual body carries out excellent work. It coincides with the partnership agreement which is hopefully nearly finalised. There is a bit more work to be done on it. We will debate it here later this after-

[Ms O'Rourke.]

noon. It is a good omen. I thank the Minister of State for his ever pleasant presence in this House.

Minister of State at the Department of the Taoiseach (Mr. T. Kitt): It is always a particular pleasure to be here in the Seanad.

Mr. B. Hayes: We can organise it on a more permanent basis.

Mr. Ryan: We can organise a stay here.

Mr. T. Kitt: For some reason I feel most relaxed here. We have done some very good work here over the years. With regard to this Bill, we have had differences, in particular with Senator Ryan, as my colleague has mentioned. He did me the courtesy of approaching me with regard to a certain error in the Bill prior to coming into the Chamber. I appreciated that. We sorted out the issue. That is what the democratic system is all about, and I value that greatly. We can now go from here to the Dáil and get through the final leg of bringing this Bill into law.

The work we are doing has been important. It has taken some time. Partnership is something we all take for somewhat for granted. These bodies do tremendous work. We are well aware of the National Economic and Social Council and the National Economic and Social Forum, and many of us have served on that particular body. The relatively new National Centre for Partnership and Performance is coming forward with tremendous work relating to the workplace of the future.

There are many sophisticated and complex issues in the workplace as we develop as a modern economy, with less time for those nearest and dearest to us. People are trying to balance the work and life mix, etc. Many complex issues need to be dealt with. These bodies are considering these matters in a detailed fashion, helping us all to chart the future for those who we represent.

What we have done is extremely important and I value it greatly. If something goes wrong with partnership it makes the headlines, but when it works smoothly, nobody seems to take a great deal of notice. I have stated here previously that I value greatly the work done by these bodies.

As Senator O'Rourke has stated, the Taoiseach will be present in the Chamber shortly to debate the new partnership agreement. Senator Brian Hayes and others have rightly asked for as much debate as possible on these issues. There was a request from Members that we would have a greater involvement by them. To be fair to the Taoiseach, he will visit the Seanad first to do what has been suggested.

I wish the Seanad well in its future work and thank it for its co-operation on this Bill. I look forward to bringing it to the other Chamber.

Sitting suspended at 4.15 p.m. and resumed at 5 p.m.

Social Partnership Agreement: Motion.

An Cathaoirleach: I wish to inform the House that the names of the Labour Party Senators are to be added to the signatories of the amendment to the motion. I call on Senator O'Rourke to move the motion.

Ms O'Rourke: I move:

That Seanad Éireann welcomes the proposals for the new social partnership agreement.

On behalf of Senators, I welcome the Taoiseach to the debate on this important issue. The motion is simple, that Seanad Éireann welcomes the proposals for the new social partnership agreement. I am pleased the Taoiseach has come to this House first to debate the agreement. I am sure there will be occasions to discuss it in the other House also.

This is the seventh such agreement. We well remember the first agreement in 1987. The Cathaoirleach will remember we had a mini-debate about it on the Order of Business last week. We recalled the perilous and parlous situation in which the country then found itself and the determination by all, especially the trade unions and the Government, that we would devise a strategy to chart a way forward. The Programme for National Recovery emerged from that process.

Things got a bit sparky last week and when we said we "rescued the country", we also said Alan Dukes had a role to play with the Tallaght strategy. So he did. When talking last week about the achievement of the Taoiseach of the day, Charles Haughey, in putting forward this agreement, speakers did not omit to mention that it was supported by Alan Dukes through the Tallaght strategy. That is on the public record and should be said.

The year 1987 was an extremely difficult period for the country financially and it is not an exaggeration to say we faced certain peril. In addition to other people, the Taoiseach and I were around the table at that time. It was a difficult time to manage, especially in a spending Department. Be that as it may, the agreement was achieved. There is no point in always looking back, we must look to the future. That first agreement was followed by a series of agreements. At each stage, a new agreement was never a given and one never envisaged that they would be easy to achieve. Far from it. As each three-year period came to an end the circumstances changed. The first agreement led to an improvement which coincided with a decrease in interest rates and a general uplift in economic activity, which gave rise to a general amelioration in the situation.

Question put and agreed to.

Each agreement brought its own distinct difficulties and challenges. In time, the process broadened to include more than just the trade unions and the Government but they were the only parties to the first agreement because it was a matter of the utmost urgency to address the problems and a rigorous approach was required in order to reach an agreement. The partnership process has been extremely effective. The fact that a better climate of industrial relations was achieved meant firms wishing to locate here, especially from the United States or other areas, were assured that, by and large, the industrial relations climate would be peaceful.

This did not prevent the odd hiccough — in some cases significant hiccoughs from time to time — in the public sector and various other areas but it was possible to overcome them which had not been the case previously. Disputes and work stoppages were no longer as bitter or protracted as in the past. The consensus that emerged did away with the old days of a confrontational, adversarial approach to dealing with industrial relations.

In time, farmers became an important element of the partnership approach. The community and voluntary sector also became involved under the leadership of our friend from Inchydoney, Fr. Seán Healy, who became its main spokesman. Partnership became an all-embracing process that included the trade unions, farmers and the disadvantaged pillar. “Pillar” is the preferred term for each sector involved. In this way the process widened its influence and effect, which has proven to be very much to the good because people in each sector could bring their issues to the talks and hopefully find a resolution. The partnership process has become a way of life.

From time to time doubts set in as to whether we should embark on another agreement but if we were to dispense with them it would result in a free-for-all at local level which would be a disastrous outcome. We have had plenty of that in the past. Wisdom prevailed and those who are in charge of implementing the agreement embarked once again on this process with stout heart. I accept the agreement is not yet concluded. The officials present are well aware of that. I pay tribute to them for their work. We are not allowed to refer to them by name but they know who they are. The Cathaoirleach is indicating that I should behave. The officials concerned have put their hearts into the work and given of the great experience and expertise won by them over the years.

I understand the representatives of the farming community are still engaged in talks. It is expected they will work through their remaining concerns by the weekend. I hope fervently this will happen. In addition, I am aware that, among the teaching community, the TUI has severe difficulties and concerns in regard to a particular aspect of the agreement. Experience shows that TUI members are not unreasonable and I hope

wisdom will prevail in regard to their deliberations. TUI members from the institutes of technology, in particular, are very exercised by this issue.

In the past 12 months, there have been significant upheavals regarding the working conditions of immigrants. This has necessitated that particular emphasis be placed in this programme on the obligation of employers to ensure compliance with standards relating to their rights. I welcome plans to establish an office to ensure compliance with legislation on working standards for those who come to work here. It is all very well to say we have opened our doors to welcome the Poles, Lithuanians, Latvians and so on. What should ensue from this welcome is a certainty that they will be treated in an acceptable fashion and will enjoy satisfactory working conditions. Unfortunately, this is not always the case.

We have had many passionate debates on this matter in the House. Everybody is appalled at the prospect that immigrants might not be afforded decent working conditions. The office of employment rights compliance will guarantee the necessary strong protection for employment standards. I also welcome the provisions on a national skills strategy, new employment permit measures and measures to ensure social inclusion.

The substance of the Opposition amendment relates to an issue that is often raised in this House and upon which I hope we can reach agreement. This is the need to ensure there is adequate debate on the issues in question. There has been much comment that the entire negotiations process was secretive. Not everybody can be brought into the closet but I accept there should be a far more open way of conducting these discussions. It is desirable that a debate should take place within the Houses of the Oireachtas, as is happening in this Chamber today. At the request of Senator O'Toole, we had a debate on this matter four or five months ago because there was disquiet among some Independent Senators about it.

It seems there is not a full appreciation among the public of what it means to have successfully secured a national consensus among trade unions, business interests and others. Perhaps the Government needs to conduct some public relations exercises to this effect. Last night, I was invited to a meeting in Athlone Institute of Technology where I met some 50 young people from the United States who are studying there. They had all done significant research on Ireland and several of them asked me to explain social partnership. They were keenly interested in the process and particularly impressed with the minimum wage rate.

We all accept that our current economic success is built on the efforts of preceding years. We also accept that educational provision and social partnership have played a particularly significant role in securing that economic success. We should all take great credit for this. There has been much

[Ms O'Rourke.]

criticism of the benchmarking process but those who criticise it are never willing to forego the benefits they have received through it. It requires public service workers to satisfy measurable standards of performance efficiency. It was a necessary exercise because public sector workers had fallen behind their counterparts in the private sector. The former have now properly come to the forefront. If we are to have an effective working democracy, we must ensure both the elected heads of Departments and those who work within Departments are rewarded satisfactorily for their work. I often observe that those who needlessly criticise standards and work practices and the consensus that has been reached in this area should come in and experience the system for themselves.

I thank the Taoiseach for coming to the House and I commend those who worked so hard and diligently in bringing forward this programme. I expect the Taoiseach will tell us its name presently. We will run out of names shortly and the Secretary General, Mr. McCarthy, will have difficulties in devising more. I wish the programme every success. I agree with Opposition Members on the need for debate on this matter — that is why we tabled this motion. I see nothing adversarial about the Opposition amendment in its call for ongoing debate on the issue. I welcome such a process, which will allow us to mark and record progress. I have great pleasure in proposing this motion.

Dr. Mansergh: I second the motion and reserve my right to speak at a later stage.

The Taoiseach: I welcome the opportunity to speak on the motion welcoming the draft social partnership agreement, Towards 2016. I congratulate the House on its early discussion of the new agreement, following its earlier debate on the negotiations in the context of the National Economic and Social Council, NESC, and National Economic and Social Forum, NESF, reports which preceded them.

Before turning to some of the principal features of the new agreement, which are worthy of support by the House and the public, I will address some of the criticisms of the social partnership process. In doing so, I observe that much of this criticism comes from the same old tired voices, many of whom seem to resent that our social partnership process works so well, is admired so widely on an international level and continues to adapt and develop in the light of changing circumstances. It is a case of some people regretting that what should not work according to their theory works so well in practice. We are invited to believe that social partnership is a dangerous conspiracy, subversive of democracy and empowering vested interests with vast control over public policy, while, at the same time, it is an outdated and empty ritual which

makes no practical difference to the world in which we live and work. I can resolve this contradiction by stating that both criticisms are incorrect.

This is not an anti-democratic project. Since the bold initiative of the late Charles Haughey in 1987, social partnership has been based on an invitation by the Government of the day to the social partners to join it in discussions of how, through dialogue, we could together develop policies and behaviour which better serve the needs of our people. As in the past, the Government entered these negotiations on the basis of our programme for Government. We maintained close ministerial oversight of the conduct of the negotiations. The terms of the draft agreement were approved in every respect by the relevant Minister in a process led by the Tánaiste and me. We are satisfied the outcome is entirely consistent with our programme.

In implementing the agreement, we will, as before, be fully accountable to the Oireachtas. The substantive elements of the agreement require the introduction of legislation which, as ever, will be subject to close scrutiny and debate in this House and in the Dáil. The expenditure implications will be dealt with in the budgetary and Estimates process in the usual way, with full accountability, approval and oversight by the Oireachtas. All the implementation arrangements are reported regularly to the Oireachtas. For example, in the course of Sustaining Progress, more than 30 progress reports were laid before the Oireachtas, together with other commissioned reports and studies. Since 1997, I have answered more than 300 parliamentary questions on the social partnership process and the implementation of agreements, while my ministerial colleagues answered questions in respect of their particular responsibilities under these agreements. This will continue. I welcome greater parliamentary engagement and scrutiny of the process. I wish that Oireachtas committees would take a greater interest in the substance, rather than the mythology of social partnership and that the other House would be as constructive as the Seanad in its engagement.

Social partnership is not anti-democratic because it is based on a recognition of the proper and distinct roles of Government, on the one hand, and the legitimate contribution to public life of the social partners who, entirely in their own right, exercise very significant influence over the economic and social life of this country. As employers, trade unions, farm bodies and voluntary organisations, they play an enormous role in civil society. Their independent decision making and behaviour has a profound effect on employment, living standards, productivity, adaptation, the quality of public services and the social cohesion underpinning the quality of life of our community. It is entirely democratic to recognise and respect their independent roles and contribution. At the same time, the social partners

recognise that the Government in this process is not simply the first among equals. They appreciate fully that the Government must insist on, and exercise fully, its prerogatives within the framework of political accountability.

I do not need to rehearse here the contribution that social partnership has made over the years since 1987. Apart from the industrial peace and stability it has produced in the labour market, and the confidence this has given to investors, the process has been important in developing a consistency of approach across all the main players in the economy. This reflects a strategic analysis of the opportunities and challenges we face. This consistency of approach has been an important, if not critical, factor in our successful adaptation to change over many years. This adaptation has extended beyond the technical and economic, into the successful response to social change and the imperative of building a more inclusive society.

Fairness has been at the heart of the process since 1987. It is that very quality which has led so many international observers, including the IMF, the OECD and the European Commission, to comment so favourably on its role in the Irish success story. It is also why the European Council urged all member states to develop what it calls national reform partnerships, like Ireland, to underpin the Lisbon strategy for growth and jobs, since governments acting in isolation cannot deliver the change which is required.

There is one final myth which I would like to address, which is that the agreement, in so far as it relates to pay and the workplace, really only affects a minority of the private sector who are trade union members, and is essentially a public service pay agreement. Nothing could be further from the truth. It may be true that a majority of employees in the private sector at any one time are not organised members of trade unions. However, wage determination is never a purely local matter. Wage norms and trends are easily established, especially in small labour markets. We know from our own experience how badly wrong these norms can be in the light of conditions across the economy. Collective bargaining across Europe has a powerful influence on wage levels, even in countries with much lower rates of trade union membership than Ireland.

The key to the success of the Irish model is that it is flexible enough to recognise the wide diversity of situations in employments across the economy, while providing a framework of confidence that is effective in guiding in the right direction not just wage setting, but all aspects of the employment relationship. The concerns which were so widely and publicly voiced last year about the potential for displacement and a race to the bottom in the labour market evoked the genuine and passionate concern of many thousands of workers and citizens. Even though the instances of grave concern about exploitation and unreasonable behaviour affected only a small

number of employments, we need mechanisms which provide confidence about decent standards and fairness, without compromising flexibility or adding unreasonably to the burdens of regulation of the labour market. That delicate balance requires the active engagement of all the parties to our employment system.

I am happy to say that the social partnership process provides precisely that opportunity. The outcome of the recent negotiations in respect of employment standards represents, in my view, a very fair balance between the competing legitimate interests and objectives, and will provide confidence for the future in a rapidly-changing labour market.

The level of the pay increases which have been agreed reflects the correct balance between what we know about productivity, inflation and a range of other factors which will impact on the state of the economy, and our ability to be competitive in international markets. The pay terms of the agreement are quite straightforward, with 10% payable over 27 months, in four amounts of 3%, 2%, 2.5% and 2.5%. An additional 0.5% is to be added to the payment, due from 1 July 2006, for those earning €10.25 per hour or less. In addition, the parties have agreed to make a recommendation to the Minister for Enterprise, Trade and Employment to increase the national minimum wage with effect from 1 January 2007. For those whose circumstances require it, there are provisions to plead inability to pay and-or to seek offsetting productivity changes.

The pay terms for the public sector are the same as those for the private sector, albeit that the payment starts later, from 1 December 2006, rather than 1 January 2006. As under Sustaining Progress, these payments will only be made after delivery of verifiable change. Such change includes better opening hours and improved promotion and recruitment practices, particularly the opening up of more senior jobs to competition from people from outside the public service.

A second round of benchmarking is under way and a report will issue in the latter part of next year. This will indicate the differences in pay and conditions, if any, between public workers and their private sector equivalents. If any pay increases are recommended for particular groups we will have to ensure that substantial change and flexibility is delivered in return.

The draft agreement is not just about pay, important though that is. It is also about maintaining a supportive macroeconomic environment in order to enhance productivity, competitiveness and build a stronger society. Put simply, it is about improving the quality of people's lives.

Chapter 2 sets out the macroeconomic context to the agreement and assumes a certain level of economic growth in the short to medium term. It also endorses the key national strategies such as the national spatial strategy and national development plan that will inform investment and planning, together with details of key actions

[The Taoiseach.]

planned or already in place regarding sectoral strategies in areas such as science, technology and innovation, better regulation, public enterprise, manufacturing, transport, housing, energy, telecommunications, education and training, the environment, rural development and the agri-food sector.

Chapter 3 develops a new framework to address key social challenges which individuals face at each stage of their lives. This means a focus on the needs of children, young adults, people of working age, older people and people with disabilities. In each case, a vision is set out for people in that stage of the life cycle, which the social partners will work towards over a ten-year period. This ambitious approach will pose a major challenge because public services will have to be designed around individuals and their requirements, rather than based on different State agencies. The approach will take time to deliver and the agreement sets out how we propose to measure and review progress over the ten years. In addition, it sets out a number of priority actions in each case over the first phase of the agreement up to 2008. The new approach will also help us to monitor progress more effectively, by focusing on outcomes for people at each different stage of their lives.

The draft agreement will now be subject to ratification over the coming weeks, in line with the internal procedures within each social partner pillar and organisation. I believe that all concerned will recognise the benefits of the new agreement for themselves and the country as a whole, and give it a fair wind in the course of the ratification process.

In the event of a favourable outcome to the ratification process, I would see considerable value in a quarterly discussion with the Seanad on the partnership process. It might be more helpful and effective if the Seanad selected specific themes covered by the agreement for a more extensive debate on such occasions. The quality of Seanad debates confirms my belief that the Seanad is an appropriate place to debate the analysis and conclusions of the more reflective instruments of social partnership. In particular, the reports of the National Economic and Social Council, the National Economic and Social Forum and the National Centre for Partnership and Performance have important contributions to make to informing social partnership and the wider policy process. Direct engagement with the chairmen and directors of these bodies could contribute to the value of appropriate discussions by the Seanad. In addition, I am sure the social partners would be happy to avail of opportunities to share their experiences and their views on the process which has been a critical factor in our overall economic and social development in recent years.

I welcome the House's engagement with this topic. I would like to see a more active approach

by the Seanad to the overall partnership process, along the lines that I have outlined. Social partnership is a European tradition that in no way challenges the democratic process. On the contrary, I believe them to be entirely complementary aspects of modern governance, and I look forward to continued engagement as a means of expressing that complementary relationship.

Mr. J. Phelan: I move amendment No. 1:

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

- welcomes the agreement of the Social Partners and the publication of Towards 2016;
- calls for the laying of the full agreement before the Oireachtas for debate and for approval or rejection by its members;
- regrets that ten years of national social and economic policy has been agreed behind closed doors without appropriate democratic scrutiny;
- calls for reform of the social partnership process so that agreements are preceded by the adoption by the Oireachtas of a motion outlining the key challenges;
- calls for the implementation of social partnership agreements to become transparent and to be discussed by the Oireachtas Committee on Finance and the Public Service to be accompanied by ongoing engagement between this committee and the social partners;
- concerned at the lack of representation of consumer interests which offers little hope that rip-off Ireland will be tackled in the duration of the agreement; and
- calls for greater emphasis on issues like poverty and disadvantage, environmental protection and long-term economic planning that pose challenges into the future.

I thank the Taoiseach for his remarks and apologise for being rather late for the start. I hope that commuters' problems will feature large in the social partnership talks, since I had a few this evening on my way to the House. I apologise to the Leader for missing her opening remarks.

It is important that we table this amendment to the motion. There are several issues, problems and difficulties to resolve in the existing social partnership system, as the Taoiseach pointed out in his closing remarks. I welcome many of his final points, when he spoke of the possibility of debating specific issues regarding social partnership in the Seanad. That would be welcome, and the gist of the amendment proposed by the Opposition is certainly in that vein. I hope that the Government will be able to accept it.

I welcome the social partnership proposals and agree with the Taoiseach that the system has

served the country well. It is now time to adapt and upgrade the existing process, which has contributed to our development and current status. However, it must be amended, updated and reinvigorated. We clearly require a rebirth of the spirit of the original social partnership agreements. The Taoiseach referred to what I believe is the common myth that social partnership is the only reason for our success. He did not quite put it in those stark terms, but he alluded to it. While it is an integral part, there have been many other reasons for our economic success in recent years. If we are to continue to have social partnership, we must review the system and process.

In his concluding remarks, the Taoiseach spoke of what I and many others would refer to as the obvious democratic deficit in the system. Many Members of the Oireachtas continuously raise the issue, including some from the Government side. We need more involvement by the Oireachtas in the social partnership process. One part of our amendment seeks that the Government come before both Houses with the challenges and issues that it wishes to bring to social partnership discussions before the process begins. That will not happen if this partnership agreement is accepted, but it should happen in future. Members of the Oireachtas should have an opportunity to have some input before the Government gets involved in discussions on behalf of the social partners.

While I welcome the opportunity to have this debate, in one sense it might be a little premature, since the agreement has not yet been signed. We heard a warning shot over the weekend from the TUI, whose executive recommended rejection to its members. I suspect that other groups participating in social partnership will do the same. In that sense, we may be somewhat premature.

That is certainly the case with the agricultural part, which has not yet been concluded. Before I travelled here today, I attended the launch of the Teagasc Options 2006 event in Kildalton Agricultural College in Kilkenny, at which the Minister for Agriculture and Food spoke of her vision for the industry. However, although we need such a vision, she did not express what it was. In that area, the Government lacks a concept. We are somewhat premature and should have a full discussion on social partnership when all the partners have agreed to the proposals as laid out. It is unfortunate and may show the Government's regard for agriculture, which is still a very important part of the economy. We should have that discussion when the relevant section has been agreed by all parties concerned.

I agreed with one point that the Taoiseach made very well, which is also contained in our amendment, namely, when he spoke of the need for various Oireachtas committees to engage with the partnership process. I am a member of the Joint Committee on Finance and the Public Service and my party's spokesperson on the area

in this House. There is a real role for that committee to be involved in scrutinising the various stages in the process, and I would welcome that in future.

The Taoiseach also touched briefly on several clear gaps in the system as it currently exists. A substantial and ever-growing number of people work in the private sector but are not in a union. They are not represented directly at the talks, which is a difficulty. I do not know how it can be resolved or overcome, but it is a problem, since those people do not feel part of the process. They are detached from it, and it might allay fears and objections on this side of the House regarding the democratic deficit if those people could be engaged in a more meaningful way.

There is also a desperate need to have a consumer representative involved in social partnership. It is a glaring omission as things stand, and if they are talking about evolving and developing the system, consideration must be given to consumers, something not the case at present.

It is not satisfactory that this agreement, Towards 2016, which commits the State for another ten years, has essentially been concluded behind closed doors. As Members of the Oireachtas, we must be more actively involved in the process before it reaches the stage of acceptance or rejection by the partners. Two areas have been neglected. Efforts have been made in the last few agreements, but environmental protection, which seems not to have been treated as it should, is still an area that lags behind. I know that the Government will be talking about an energy policy over the next few weeks. It is a crucial area, and perhaps we should have placed more emphasis on the environment in the discussions.

There have been obvious failings regarding previous agreements in which the Government committed itself to action on social and affordable housing. The situation has deteriorated throughout much of the country, not least in this city. The Government has singularly failed in past commitments in that regard to help those in need of social and affordable housing. I hope that its broken promise will be reversed in any agreement.

Mr. McDowell: I second the amendment in the name of the Fine Gael and Labour Party Senators. My party supports the social partnership process and much of the content of the current agreement. However, without in any way being smart, if one reads through and considers the agreement, as I have done today, there is very little with which any sane person might reasonably disagree, even the tired old voices to which the Leader referred.

In our amendment we seek to address some of the structural problems becoming increasingly evident in the process. I want to be rather more direct than usual in addressing some of them at the beginning of what I have to say. There is a

[Mr. McDowell.]

problem with what some of the parties bring to the table, particularly with the current agreement. There is a problem with the Government parties and some of the individual social partners. The Government comes to it with six months of its mandate left to run. It purports to set out an agreement that runs for ten years, until 2016. In a sense, that is not terribly problematic, since much of its content is general and, frankly, gobbledegook.

However, the Government purports to commit not only itself but several successors to an agreement that encompasses a very wide range of policy areas.

Mr. McDowell: I second the amendment in the name of the Fine Gael and Labour Party Senators. My party supports the social partnership process and much of the content of the current agreement. However, without in any way being smart, if one reads through and considers the agreement, as I have done today, there is very little with which any sane person might reasonably disagree, even the tired old voices to which the Leader referred.

In our amendment we seek to address some of the structural problems becoming increasingly evident in the process. I want to be rather more direct than usual in addressing some of them at the beginning of what I have to say. There is a problem with what some of the parties bring to the table, particularly with the current agreement. There is a problem with the Government parties and some of the individual social partners. The Government comes to it with six months of its mandate left to run. It purports to set out an agreement that runs for ten years, until 2016. In a sense, that is not terribly problematic, since much of its content is general and, frankly, gobbledegook.

However, the Government purports to commit not only itself but several successors to an agreement that encompasses a very wide range of policy areas. This in itself points up a serious democratic problem. I appear to be losing my audience more quickly than I had anticipated. I thought we might fit my contribution in between two World Cup matches but I am not doing too well in this regard.

The fact that the Government seeks to commit not just itself but also several of its successors to certain courses of action presents a genuine difficulty. We have had experience of this in the past. When Charlie McCreevy visited this House after his appointment as Minister for Finance, he stated that he had no intention of adhering to the previous agreement's provisions regarding tax reductions. However, this Government is seeking to do this in a far more ambitious way than any of its predecessors. It has six months to run but it is looking to bind Governments for the next ten years. I do not think it can realistically seek to do this.

There is also a problem with what the social partners bring to the table. I accept that this is possibly a more sensitive area. When people look to the leaders of the trade unions to which they belong, and I say this as a member of a trade union, they look for leadership and delivery on a range of issues. These issues primarily relate to the workplace. They chiefly concern pay but also encompass issues such as conditions of employment. The new agreement contains many sensible proposals in respect of these issues.

However, a problem arises when one goes beyond these issues. When trade union leaders look to negotiate on a range of issues ranging from early learning to child care to overseas development aid, they venture into areas where their members have not given, and do not feel they should be asked to give, the trade union leadership a mandate to negotiate on their behalf. If I was leader of a trade union, I would consider it perfectly reasonable to state that agreements with the Government of a corporatist nature should not simply be confined to the workplace and that there is far more which defines the standard of living of my members. I would insist on this if I was a trade union leader. However, if we are to be objective, we must state that trade union members do not appoint their leaders to negotiate on their behalf on certain issues.

It is important to remember this because if there is a failure to deliver on these aspects of the agreement, which often happens, it lies beyond the competence of the trade union leadership in many cases to make it stick. We have seen examples of this from previous agreements, including the current one. Trade union leaders cannot realistically return to their members and tell them that the housing conditions of the agreement are not being met and that the union should agitate as a result because most trade union members do not know that they agreed to this in the first place.

A similar problem also arises with employers and the voluntary sector. Much of what they do is good and I disagree with virtually none of it but nobody appointed the leaders of these sectors to agree to these measures which makes their position much more difficult when they are looking to hold the Government to account in terms of making the agreement stick. It is important to be frank about this and put it on the table because it is a fundamental difficulty with this type of corporatist arrangement which is common in Ireland and other countries.

The agreement contains positive elements relating to workplace arrangements. I welcome the proposed new office of employment rights director. I hope the number of labour inspectors will increase. I believe the commitment is to pursue matters incrementally before the end of next year and I hope we will see an aggressive approach to ensure that what the trade union rightly termed the race to the bottom in terms

of employment conditions does not come about, partly resulting from increased migration.

The pay increases set out in the agreement are less than generous. They probably average out at between approximately 4% and 4.5% per year. When one takes inflation, which is almost 4% into account, it is very reasonable, if one is sceptical about these agreements, to point out that the agreement does not really provide for any serious improvement in terms of pay conditions over the course of the two and a quarter years of the agreement.

I read between approximately 30 or 40 pages of the part of the agreement which deals with the years leading up to 2016. The material in this section is astonishing. I have been forced to read much of it over the years and I can see where it is coming from and where the cut-and-paste approach has been used. The section contains material from the mission statement of the Department of Finance, mid-term economic reviews and the annual review of the economy which is submitted to the European Commission. One then throws in part of the national spatial strategy and the national development plan and Towards 2016 emerges.

I wonder whether it is worth doing this. It contains much in the way of general principle but very little in the way of specific commitments. I am not sure if I like the general principle that the Government should solicit and obtain the agreement of individual trade unionists and trade union leaders to a range of its programmes. If this happens, and the Taoiseach was quite clear about this earlier today, I am not sure whether this is what many individual trade unionists committed themselves to. I will give examples in case anyone thinks I am being too harsh. I did not seek out these examples; they merely struck me as being potentially interesting.

The section on social welfare pensions states that these pensions will be enhanced over the period in question, having regard to available resources and building on the existing Government commitment for a rate of €200 per week for social welfare pensioners to be achieved by 2007, which does not say much to me. In respect of the health strategy, the agreement talks about the commitment to approximately 3,000 beds. It states that there are 900 beds in place, 400 committed and possibly another 1,000 in the pipeline and states that the Government will merely have another review up to 2010. It makes it fairly clear but does not say that we will not meet the current commitment.

On the topic of public enterprise, a subject of serious interest, not least to the workers in Aer Lingus, all the agreement says is that the Government will consider which form of ownership is suitable, given international experience and Government priorities. The agreement contains a considerable amount of waffle and would be strengthened by its absence. It would be better and more comprehensible if the ten or 12 points

of serious agreement between the parties which are new, fresh and easily understood were taken out and put to workers, social partners and the voluntary sector for agreement rather than producing between 70 and 100 pages, much of which no sane person could reasonably disagree with.

In conclusion, I accept virtually everything in this agreement but, as Senator John Paul Phelan noted, the process contains fundamental flaws of which we must be conscious and which we must do our best to reform.

Mr. Morrissey: I thank the Taoiseach for appearing before the House this evening and I welcome the Minister of State at the Department of the Taoiseach, Deputy Treacy, to the House for this debate. This opportunity to discuss the recent proposals is a timely one and I commend Fianna Fáil for employing their Private Member's time for this purpose. There has been plenty of commentary in recent days, and indeed almost every time social partnership is assessed, about a democratic deficit and about how the partnership process diminishes the role and input of the Oireachtas and public representatives. This is a concern.

For my part and that of my party, this is an opportunity to set out what social partnership is and what it is not. At the outset, I will state that we are firm supporters of agreement between Government and the social partners. When the Tánaiste addressed the plenary session on social partnership earlier in the year, she said:

The central core around which partnership was built was the belief that a strong, growing, and dynamic economy was the key to providing job opportunities, rising living standards and improved social provision for our people. It recognised that as a small country our prosperity depended on our ability, as a people, to embrace change.

This brings me to the nature of social partnership. Since 1987, social partnership has been a welcome formal interaction between the Government and the social partners. The fundamental objectives of the process, namely, implementing agreed change and providing a process for resolving difficulties have played no small part in bringing Ireland to where it is today. People often speak of partnership as the critical and necessary element in Ireland's economic transformation in recent decades, but we must remember it is just one element. We must look at other factors such as Ireland's provision of some of the world's lowest corporate tax rates and the adoption and meeting of the Maastricht criteria. We must recognise that in 1987, a strong social desire for change existed. The ordinary people of Ireland knew that things had to change. Crippling unemployment and mass immigration persisted and the country was described as an economic basket case.

Simultaneously, there was a strong desire for political change. When the Progressive Demo-

[Mr. Morrissey.]

crats was formed in 1985, its purpose was to break the mould of Irish politics and give the Irish voters a new and real alternative. It aimed to give political expression to the desire for change. The political party system at that time, which derived from the Civil War, was failing society. The move toward social partnership and pursuit of its objectives married well with the view espoused by my party and continues to do so.

My party's view is that the best defence against poverty is a job. The Government must ensure an environment wherein economic progress can be made. People must have the incentive and opportunity to generate their own wealth. With more jobs comes more revenue to improve existing public services and create new ones to help the vulnerable in society. This is the Progressive Democrats' idea of social justice.

Social partnership is a process to provide the environment wherein that idea of social justice can become a reality. Social partnership is a mechanism to provide the necessary environment, and competitiveness is the motor that keeps everything moving. This is our view of social partnership. It is an alternative to previous ill-defined and badly-structured settings for a sustainable economic and social environment. It made development possible, not automatic.

In the run-up to the most recent proposals, my party colleague, Senator Dardis, stated the following in the House:

The partnership approach has served this country well, as we all know. Much of the basis of this success has been partnership's ability to adapt flexibly to changing conditions. However, in the same way a one-size-fits-all approach is inappropriate for a group of states facing varying challenges, the same partnership approach that served Ireland well in the past might not be the most appropriate model for other countries. If it were, it would not need to be renegotiated. We must not pursue social partnership at any cost.

Senator Dardis went on to say that the notion of core work as currently defined and outsourcing "could indicate that what went before might not be the right approach in certain sectors now."

Look at the shocking example of more than 100,000 people, the majority of whom are young, waiting to sit their driving tests. Some have been on the list for more than a year. During a long period, the Minister for Transport tried to implement a scheme that would have involved outsourcing driver testing to reduce the backlog, which would have been a reasonable and necessary action. Earlier this year, the Civil Service arbitrator scuppered those plans on the basis that Sustaining Progress, specifically paragraphs 21.8 and 21.9 thereof, precluded the outsourcing of so-called core work. Those provisions hampered the delivery of these services. Thankfully, talks between IMPACT, representing the driver

testers, and Department officials produced a solution earlier this month, but not before a drawn-out and agonising process was inflicted on young people.

Social partnership is not a straitjacket. It is a commitment, but not a defined space, a box within which each and every social actor must limit his or her actions. The Progressive Democrats will continue to pursue our policies and objectives with our consistent vigour and determination before and after the next election.

There are concerns about the democratic deficit arising from the partnership process, but social partnership is not a barrier to policy on, for example, taxation. Notwithstanding the proposals under the next agreement, the Progressive Democrats are committed to using some of the benefits of economic growth to significantly reduce the tax burden on low and middle-income taxpayers. I have outlined what social partnership is and is not. It is not a straitjacket on policy, nor will it be a barrier to our determination, under the next programme for Government, to see 90% of the gains from economic growth dedicated to public spending and the other 10% to tax cuts.

Towards 2016 refers to building an equitable tax system that encourages economic growth to ensure employment growth and continuing improvements in living standards for all. It correctly refers to taxation policy designed to maintain and strengthen the competitive position of the economy and to foster improvements in productive capacity, economic and social development and equity, while maintaining a sound fiscal stance.

Taking capital and current spending as examples, my party's plan forecasts approximately an additional €30 billion available for public spending. By 2012, and based on current spending patterns, that amount could provide for additional investment of €7 billion in health services, €8 billion extra for social welfare services, €4 billion extra for education and €1 billion extra for justice matters. These are indicative figures, but Senators will agree they represent a significant financial commitment to these illustrative policy areas.

On reading the social partnership agreement, one might believe policy has been defined for the next ten years and it will not matter for whom one votes. It does matter, as the agreement covers areas in which people must still make up their minds. Should they ensure that the path we are on continues or should we change in mid-stream?

Mr. Feighan: They could revert to Fine Gael.

Mr. Morrissey: The Progressive Democrats will call for reforms. While Senator Ryan referred to our public utilities, transport and what system might be in operation, if we are to invest considerable funds, we can no longer have wildcat strikes in public transport services, as recently

occurred. Reforms must take place in that area. I welcome the Minister of State's comments in this regard.

Mr. Treacy: Hear, hear.

Mr. O'Toole: I welcome the opportunity to contribute to the debate and that the Taoiseach took the time to address the House. I also welcome the Minister of State, Deputy Treacy, who was furiously nodding in agreement with Senator Morrissey when the latter said that who one votes for matters. I congratulate all parties involved, including senior officials in the Department of the Taoiseach and other Departments.

Notwithstanding comments made in passing, I will try to avoid the main issues within the agreement because they will be well-debated. Instead, I want to look forward and back and place a benchmark on what we have achieved and what we are trying to do. We should approach matters in specific terms that would allow for addressing issues, many of which have been raised by Senator Morrissey.

Whatever people say about what social partnership has achieved, I take a more positive view than others. I will speak on certainties. Since the beginning of social partnership, Irish productivity has been the highest in Europe. In the past 15 or 16 years, only in 2001 was Ireland not ranked among the top two or three countries in this regard. Through the 1990s, we were by far the most productive country. What does this mean? While people see words like "productive" as simply being nice to use, it means that Irish workers worked longer and harder and produced more. No one in Europe can gainsay this fact and no country in Europe can match Ireland's record in terms of industrial peace, which is directly and solely attributable to the partnership process.

I agree with Senator Morrissey in that there are many other issues, but productivity and industrial peace have been key. We saw their importance to all of the partners when the recent railway wildcat strike took place. The following day, the unions said the strike was unofficial, they did not support it, it needed to stop and their employees should return to work. Some time passed before that was done. That situation would not have occurred in any other European country because people in the Irish trade union movement have the confidence to determine whether something must be done. They have given commitments, signed off on something and, after shaking hands on a deal, they stuck with it. Social partnership has created this situation.

There is no democratic deficit. The Government, which was elected by the people, is engaging with civic society and allowing the pillars thereof to engage with one another. I would like people to see one part of this process, namely, where the four pillars sit down with the Government in plenary session. Therein, the hard men and women of a group must listen to their

counterparts in the other groups and are forced to engage with issues such as economic growth and creating the climate for job and wealth creation. It is telling to watch strongly committed trade unionists who have never engaged in that process now doing so and answering questions.

It is very telling to witness a public sector trade union leader having to listen to a representative of small shopkeepers bemoaning the difficulties of regulation, paperwork and reporting, and having to be aware of them. I could give 24 more examples. It is similar for the business community having to listen to the trade unions refusing to accept situations where workers are not treated properly and fairly in the course of their work. They have to listen to bank employees who say they cannot accept a situation where the third largest company in the country, which made a profit of €1.5 billion last year, is now reducing the pension entitlements of its workers. Such matters have to be addressed. The agreement is important because it involves engagement and progress is made in the way it reduces tensions among the different parties.

It is not a conjuring trick but a well-worked economic model. The priority is to create the conditions for growth and wealth creation, because without them there will be no share-out. There is no point in unions arguing about the redistribution of wealth, to use an old phrase, or share-out, to use a modern one, if there is nothing to share. If we only argue about a bit of the cake, rather than the size of the cake, we will not get anywhere. Arguments on such issues took place in the first month of negotiations in Government Buildings because people had to sit and listen to the Department of Finance, the ESRI, Mr. McCarthy from the Department of the Taoiseach and the heads of various other bodies. They put their side of the story and produced their best information. Everybody knows they will return to the negotiating room next year and in following years, so despite what the media think there is no game of bluff being played. If the Department of Finance put forward a proposition that time does not justify or on which it appears to be completely wrong then it will lose credibility and credibility is all that counts in negotiations.

I have left the House with just two certainties about productivity and industrial peace. I could go into many more issues but the picture would get greyer and greyer and would attract argumentation. The workers of Ireland have created, for good or ill, a 24-7 economy. One only has to travel to another European country and try to buy something on a Sunday afternoon to see that. Maybe they are better off, but we have created flexibility and movement.

I do not expect people to agree with me but I can provide chapter and verse on modernisation. For example, the transition from the health boards to the HSE was a conjuring trick. Senators will remember the problems politicians had when changes were made to individual health boards

[Mr. O'Toole.]

but all the workers made the transition to the HSE fluently.

I have been trying to give people simple ideas they can use in discussions. Events in Europe in the past two years convince me of the need for social partnership. France went rigid with fear over job security, workers' rights and the permanency of employment and effectively closed down. We are trying to avoid that, which is a huge task and took up most of the time during the talks. When one solves a problem before it happens one never receives credit for it, which is one of the problems of social partnership, but we are trying to anticipate problems.

Anticipating problems with pensions closed down Italy for a while, and Germany and France, as did the issue of new workers coming into a society and the problems encountered ensuring they were not exploited so that they could become part of society. I could refer to more issues but they are just some.

This agreement is about vision, strategy and moving forward to create a society that is fairer and in which people feel looked after. I could also talk about the problems social partnership has created and could produce a long list of things with which I am unhappy. All the partners have delivered in the past and are addressing issues for the future that no other European countries are. We are creating a unique mould, which is why others are interested in our progress. I congratulate all the parties, particularly Mr. Dermot McCarthy, the Secretary General of the Department of the Taoiseach. The work he has done and his commitment, like that of the Taoiseach and of all who were involved, are something we should recognise.

Dr. Mansergh: I welcome the Minister of State and his officials. I warmly welcome this social partnership agreement and it was appropriate that the Taoiseach came to this Chamber to present the agreement to the Oireachtas for the first time. This Chamber has a wisp of a ghost of vocational representation about it.

Social partnership has been essential to the economic success of this country in the past 20 years. I do not say it is the only cause of that success but it has been a major one. Our debt has reduced from 125% of GNP to between 25% and 30% and we have experienced a near doubling of employment. Taxes, both business and income, are far lower and real incomes have increased. As Senator O'Toole pointed out, there have been remarkable increases in productivity and improvements in industrial relations. One important commitment in the programme has already been delivered — before the agreement has been signed, sealed and ratified — namely the research package announced over the weekend.

Apart from the content of the specific agreements and commitments the most important thing about social partnership is that it is a

method, based in the first instance on careful study and preparation. Earlier this afternoon we debated the reformation of NESC and NESF. Different subject sectors are carefully studied and prepared as part of the process. I suspect that in many cases the words are carefully weighed, though I accept that in some instances they are simply a résumé of reports and policies from other areas. Senator McDowell, for example, referred to the paragraph on air transport, which is not gobbledygook or fluff — every word is carefully weighed with trade unions.

I welcome the clear statement that the policy will in all cases be based on serving the public interest, to meet the needs of people to best effect without any ideological assumption as to what corporate structure or strategy best meets that objective. That needs to be stated over and over because we heard on the Order of Business this morning suggestions that health policy was based on some rabid ideological drive toward privatisation, of which there is no evidence whatsoever.

The agreement contains a good deal of flexibility, as it must. There is tremendous value in the fact that we have, in principle, a ten-year commitment to continuing social partnership, until 2016. There will have to be adaptability to circumstances and situations will change. Pay will be dealt with in several subsections of the agreement over two or three-year periods and certain aspects of the agreement may have to be reviewed. However, the point was made that fiscal policy allowed sufficient room for manoeuvre in circumstances that may arise in the future, which is very important for avoiding stop-go situations and dealing with emergencies which might give the economy a bumpy ride. We are in a position of considerable strength and we must allow ourselves a bit of room for manoeuvre.

I also welcome the commitment, in principle, to 5% capital investment. We can see the changes taking place in infrastructure throughout the country. Visitors to this country — I had lunch recently with an American professor — are enormously impressed by the sheer number of signs of activity of all kinds. Obviously, construction activity of one kind or another is visible.

As the Taoiseach pointed out, social partnership is attacked by both the hard left and the hard right. For example, the *Sunday Independent* contained an article last Sunday by somebody who is clearly deeply frustrated that this country is not run on Thatcherite lines where the unions would be put firmly in their place, would not darken the door of Government Buildings and so on. A Member of this House sometimes espouses a view not a million miles from that.

Ms O'Rourke: He is lurking outside.

Dr. Mansergh: I have no sympathy for that point of view. I remember talking to Samuel Brittan, a financial journalist, and the one thing he could not understand about the Celtic tiger was

the idea of social partnership which was contrary to every principle of management of economic and budgetary policy which people in Britain had learned. It dumped social partnership at the end of the 1960s, or certainly definitively at the end of the 1970s, and has not gone back to it.

Equally, one or two Members of the other House are allied to the point of view of our hard left trade unionists. In the constituency in which I reside, South Tipperary, a Deputy proudly told me on the airwaves that he had never supported an EU treaty or a social partnership agreement. The reality is that such an approach would be very destabilising for the country. I believe we would face quite a difficult situation if it was not possible to agree because people would be a little without bearings as to how they should proceed. Senator O'Toole spoke — he cannot do so often enough — about the way France, for example, has had to conduct matters where edicts are moderated and modified by action on the streets. I do not believe that is a good way to run a country.

The Taoiseach seemed to rather firmly refute the notion of a democratic deficit and I agree entirely with Senator O'Toole's view on that. The Houses of the Oireachtas are free to spend more time engaging with various aspects of the process. I also agree with the Taoiseach that it probably needs to be broken down into specific subjects rather than being overly generalised.

I hope the missing piece, that is, the agriculture discussions, which are very important, will be successfully concluded. I speak as a part-time farmer and I believe agriculture has far more to gain by being inside the social partnership arrangements than outside them. My only regret is that it has been outside it for such a long time even when it was already clear the nitrates issue was being resolved.

Mr. Feighan: I welcome the Minister of State, Deputy Treacy, and thank the Taoiseach for taking time out to come to the House. I welcome the motion, although I very much welcome the amendments to it put down by my party.

Ms O'Rourke: They have been changed.

Mr. Feighan: When social partnership was launched, this country needed to tackle a number of challenges, including unemployment. A number of years on, the challenges which need to be tackled are much more complex and numerous. While social partnership has the capacity to address many of the issues, it needs the capacity to address many more. I do not wish to harp on about it but there was a slight lack of representation of consumer interests. If we are to deal with rip-off Ireland, more consumer interests should have been involved in the negotiations on the agreement.

Over the years, there has been a stream of job losses in traditional manufacturing. The economy, especially in rural Ireland, relies heavily on the

construction industry and consumers are required to maintain it. Employment in companies supported by the IDA and so on has fallen consistently in the past four years — an issue which needs to be addressed. Even in a modern economy where there is strong growth in the professions, we cannot afford to ignore internationally traded goods and services.

Social partnership agreements should be preceded by the adoption by the Oireachtas of a motion outlining the key changes. This is an issue about which we could become upset although I believe that at times, there is too much regulation. I am a businessman and an employer and I am happy to see the rights theory has been used. The process of social partnership is anything but transparent and a little more discussion and consultation is needed.

As an employer, I am delighted an additional 0.5% will be given to the low paid, that is, those on €10.25 per hour or less from 1 July 2006. This country was built on the retail, agriculture and the self-employed sectors. In the race for agreement on social partnership, many of these sectors have not been given the attention they deserve. Last week I said in the House that as a small businessman, I was assured IBEC was fighting my case. I have never been a member of IBEC and it has never approached me. It has no time for small retail businesses.

Mr. Ross: Hear, hear.

Mr. Feighan: It only deals with medium-sized industries and so on. My profession was not represented at the talks and I take great umbrage at the fact a body claimed to speak on my behalf when it did not.

I am delighted the public sector is booming but we need to debate the fact that those working in that sector are much better off than those working in the private sector. Small retail businesses do not offer the same returns as they did in the past because Tesco and Dunnes Store have arrived, which is welcome. However, people working for me have been doing so for 20 to 30 years but I cannot give them the same remuneration they would get if they worked in the health board or as a secretary in the public sector nor can I give them the same holidays. That issue must be addressed. I cannot give them the same holidays but thankfully they are very loyal and do not look for sick pay — normally they are not sick — holiday pay or the same pensions. These people are prepared to work twice as hard yet, as an employer, I cannot give them the same attention as if they were working in the public sector. We need a debate on this matter.

Accountants, solicitors and computer company managers are now looking to the public sector because they know the benefits that exist there in terms of productivity. Who is drawing up these agreements? We all have a role. As a politician I will get my increase in pay but those who decide

[Mr. Feighan.]

that politicians will get such increases are the people who are giving increases to themselves. Things are going well economically and I do not like to be a spoilsport but when there is a downturn will these people be willing to take a loss in wages or will we get benchmarking? I think not. We may discuss such matters in the context of social partnership, whether in the private or public sectors, but there is a lot of nodding and winking going on. Many people are in there fighting on behalf of their sectors and they have done a good job in taking care of their own areas.

However, I sound a note of caution that there is a serious issue coming down the line. If this country suffers a reaction to markets we will then have huge problems with an over-staffed and privileged public sector with all the trappings that go with it. Those working in the private sector cannot attain the same wages, privileges or pensions as those in the public sector. There is a growing disparity which needs to be addressed sooner rather than later. I call on the social partnership to acknowledge there is a problem by addressing those serious issues.

Labhrás Ó Murchú: Is mian liom fáilte a chur roimh an Aire, roimh an Taoiseach, a bhí anseo cheana féin, agus go mórmhór roimh an ráiteas a chuir sé os ár gcomhair anseo anocht. It is part of the human condition that when one meets a challenge, overcomes it and ultimately comes out the other side with good news, it is expected that in some way a negative must be provided to balance the weighing scales. That was part of what we have heard in recent weeks. While I do not agree with it, in itself it is not necessarily a bad thing because it creates debate. In this case, it gives us an opportunity of analysing in depth exactly what is involved in social partnership. It is interesting that we are talking about a programme entitled Towards 2016, which will be a significant date in Irish history marking the 100th anniversary of the 1916 Rising. We are all quite good at quoting sections from the 1916 Proclamation, including the one about cherishing all the children of the nation equally. While it might be a tenuous link, there is no doubt that it is inherent in social partnership. That is precisely what it is about.

I will deal first of all with the issue of the negative side of the balance sheet and the democratic deficit which has been mentioned. That is only being advanced in order to have a debate but on examination I do not think one could genuinely say that position is correct. In recent times, I have been watching a television series called "Reeling in the Years".

Ms O'Rourke: Yes. There were pictures of the Senator when he was much younger looking.

Labhrás Ó Murchú: Watching those programmes one can see some of the industrial flash-

points that existed back in that period. It puts in context the situation from which we have come. In other words, once cannot really talk on this subject without looking back to see what it was like in the past when the weaker sections of society suffered most from that position. I often think of what the Welsh miners suffered. It did not matter one iota what leadership they had or how much they protested because at the end of the day they lost the battle. It was as simple as that.

That was also true of Irish workers over the years — they could protest but they suffered during such protests. One need only look at "Strumpet City" to remember exactly what it was like, including the great lockout of 1913. It does not matter what period of history one chooses, prior to the new development of social partnership, inevitably it was mothers at home who suffered when there was no strike pay. It also meant that wealth was not being created in order to provide jobs. In fact, people were in a cul-de-sac where the weak got weaker. The opportunities for helping those who were weaker did not exist at that time.

The more I have come to study our social partnership, the more I realise that it must be unique in the world. Above all else, the two main elements it required initially were leadership and diplomacy — leadership that believed one could bring diverse elements together who, in a way, had established a method of operation over the decades, if not over the centuries. Social partnership tried to change the thinking not just of the leaders of diverse groups but also of the followers who had to be convinced as well. There is no doubt that the necessary leadership qualities had to be there.

Diplomacy was vital as well. I can only imagine what it must have been like in some of those initial talks to get two sides coming from diverse positions to believe that it was in both their interests to participate in the new evolution which was talking place. That diplomacy held very solidly. We will not know most of it but I can imagine how often people packed their bags and went home, only to be recalled to meetings later. That was in the initial stages.

I can also imagine what must have happened during this year's talks. We should not be disappointed that the negotiations took so long. In a way, I was glad of that because it meant that every single element was being teased out. It also meant that there were bigger issues involved than wages. It was important that social and other issues became part of the discussions. There are many strands to this complex process which was navigating uncharted waters. I am glad that time was taken to work on those issues. It will pay dividends for us at the end of the day.

Other speakers have mentioned productivity and what has been achieved is beyond question. We take it for granted that Ireland is now one of the most developed countries in the world with

one of the most vibrant work forces and buoyant economies one could expect to have. How do we think it happened? It certainly would not have happened with the old system. The results are quite evident and everybody seems to be benefiting. It does not mean that some have benefited less or that some outstanding issues do not remain to be examined. However, one of the greatest things that happened is that we had the confidence to plan ten years ahead. We should contemplate for a moment what was happening 20 or 30 years ago when one would not even have planned six or 12 months ahead. In recent times, however, we have had the professionalism and competence to plan ten years forward, which would not have been possible in the past. It is clear that we were building on something which was strong in itself.

We are living in such a highly competitive world that if we do not plan into the distant future, we will not be prepared. I often give credit to those working in education who looked after the IT needs of children when it was not centre stage globally. That was one of the reasons we were prepared.

I would pick out two Members in particular in this regard, Senator O'Toole and Senator Mansergh. Through the years, they were the anchor in the debate in the House on social partnership.

Ms O'Rourke: Hear, hear.

Labhrás Ó Murchú: In many ways, they came from diverse positions, which was the point I tried to make earlier. That was good because in this Chamber we have had debates which would hopefully have been picked up in the partnership negotiations. Nobody would suggest that in some way the Houses of the Oireachtas are outside what has happened.

I have been informed by the Leader that the Government has indicated it is prepared to accept amendment No. 1 if three amendments to amendment No.1 are accepted.

Ms O'Rourke: I have been informed by the Clerk to the Seanad that I will deal with the amendments to amendment No. 1 following the debate.

Mr. Ryan: I am happy that consensus reigns, although I suspect that the next speaker on this side may make some effort to break the consensus. I am a member of the Teachers Union of Ireland, which was prominently reported as having taken exception to the agreement. My colleagues and I take exception to the agreement in the main because it implies certain things were not being done. Paragraph 31.42 of the agreement states, "All staff employed in the [academic sector of the institutes of technology] agree to ongoing co-operation with, and adoption of, new and more flexible work patterns arising from the

broadening of roles and responsibilities of third-level educational institutions". Nobody I know has a clue what that means.

My current contract states I must be available to teach between 9 a.m. and 6 p.m., Monday to Friday, and that night work, between the hours of 6 p.m. and 10 p.m., is a normal part of my duties. My colleagues and I want to know what else is wanted from us in terms of flexibility. The issue arises because academic staff feel there is an attempt to put an end to holidays and related matters without negotiation and proper consultation. If it is intended to end holidays, let us talk about this. What more flexibility is wanted?

One of my friends was involved with the negotiations on one of these issues. He sat with officials of the Department of Education and Science, who were supported by an official from the Department of Finance. When proposals such as this one arose, my colleague made suggestions and asked what the officials wanted. The official from the Department of Finance simply replied: "More." Looking for more is not the spirit of partnership.

With regard to quality assurance, in the past 12 months the course on which I teach has been subject to two different accreditations, one by Engineers Ireland and the other by the Institution of Chemical Engineers. We did not choose the accreditors; the institutions did so. In both cases, we had to defend the course through our exam papers, through the output of our students, through private debates between the evaluators and our students and through a succession of measures. No civil servant in the Department of Finance was ever subjected to such a vigorous external accreditation of his or her job.

My colleagues in the institutes of technology are fed up with this. Four engineering degrees are available in Cork Institute of Technology, each of which got five-year accreditation from Engineers Ireland. Down the road is another institution, which proclaims itself the university of the year although two of its degrees were refused similar accreditation. However, we are told we are not flexible enough and not responsive enough to new needs, despite this being a sector which thought itself up as it went along and which reinvented itself perhaps four times.

If we could believe there was goodwill behind these proposals, I and my colleagues in the TUI would have no problem with them. However, they only reflect the perception of inadequate management and not the reality on the ground. My institute of technology has approximately 10,000 students and provides a huge suite of courses. In the past three months its staff has restructured, on paper at least, every course to meet a commitment to semesterisation and modularisation. It was an enormous bureaucratic collective task which was completed by the end of May. Then, we find the partnership document states we must commit ourselves to flexible

[Mr. Ryan.]

modes of delivery and refers to semesterisation and modularisation.

The Government should not underestimate the depth and intensity of the anger of staff in the institutes of technology at what they believe is a determined effort to leave them with no negotiating position on any issue. Given that somebody told the officials there was inflexibility in some part of the public sector, they included a demand for a *carte blanche* approach. Whether this is agreed, if an attempt is made to implement what my colleagues believe is behind this approach, there will be large scale industrial unrest. It does not matter how many fine words are in the agreement or what is the position of the Irish Congress of Trade Unions.

Since their foundation, there has been imagination, creativity, flexibility and innovation in the institutes of technology on a scale that the universities did not discover until ten years ago. The suggestion in the document that this is lacking is wrong. In my teaching, I would use modern modes of delivery, such as computers, Powerpoint and so on, expect the Department of Education and Science refuses to fund my institute to provide that equipment in every classroom. If it does provide the equipment, it gets stolen because the Department refuses to allow my institute to employ night security staff. I was trying to use e-mail and the worldwide web before the Departments of Education and Science and Finance knew what they were.

The inhibition with regard to the use of modern technology in the institutes of technology is a resource inhibition. It results from a failure to provide sufficient resources, training and flexibility in the way the systems runs. The academic staff, having read this document and the original Government proposals, which were even worse than this final agreement, are dissatisfied. The TUI in Cork Institute of Technology is and has been extremely flexible. My colleagues range from average lecturers to members of the national executive of the TUI. If this aspect of the agreement is in any way as they have interpreted it, there will be large-scale and vigorous industrial unrest in a sector that has been identified as one of the areas that has contributed enormously to our industrial and economic success. I say that not as a threat, but as a fact.

Every external body says the regional technical colleges, RTCs, were an imaginative creation by a Fianna Fáil Minister for Education, Dr. Patrick Hillary, which have been highly successful. It is implied in the document that the RTCs are no longer fulfilling their purpose. This is profoundly resented and if it is carried through in the spirit I interpreted, it will cause serious industrial unrest.

Ms Cox: I welcome the opportunity to debate this motion and the amendment. When I read the amendment I felt these words rang true and we needed to study what was happening under social

partnership. I am committed to the concept of social partnership and believe it has been an integral part of the development of the economy and the so-called Celtic Tiger. However, social partnership is not without challenges and we must remember that, as every process develops, it must be regularly reviewed and, if necessary, adjusted to deal with changed circumstances. Every process is a circle and has a life-cycle.

The Taoiseach mentioned in his speech that there will be quarterly analysis of social partnership in the Seanad Chamber. It is important to have frank discussions that come from the bottom up so that Senators are briefed by the organisations as they would brief the people who sat in Government Buildings working on this document.

I was greatly concerned by the focus in the document on large employers. I run a small business and it sometimes feel as though such businesses are overlooked and forgotten, as if it is preferable to write grand, sweeping statements of policy with dramatic aspirations relating to what is to be achieved. It is worth remembering that the success of Ireland's economy is built on our small, indigenous industries and the commitment of the men and women, the mothers and fathers, who have worked in those small businesses. They created employment in hard times.

I read a briefing document supplied by the Irish Business and Employers Confederation which stated that 2 million people will be working in Ireland within a year or two. That is an amazing thought, but it comes with challenges. Some of the challenges that have not been addressed in this phase of social partnership relate to the over regulation of businesses. Running a business involves much filling of forms and discussing issues relating to health and safety, the Revenue Commissioners, the Department of Enterprise, Trade and Employment and so on. There is a regulation covering everything and employing staff has become more difficult, especially the area of recruitment. We are in danger of creating a veneer of equality which renders everyone so equal that nothing can be achieved. This is a dangerous situation because we need an open economy, one based on employers setting up businesses and being able to find workers. Otherwise, employers will relocate to other parts of the world. We must ensure we maintain a proper structure in the working environment and allow businesses to grow and thrive.

We have had discussions in this Chamber on the budget and how the Government has dealt with child care issues. There is agreement in this House on issues such as parental leave. When will we allow parental leave for the first year of each child's life to be paid through the social welfare system and how will we manage this? We need to focus on social partnership to make working life better for the entire, soon to be 2 million strong, workforce.

I welcome the focus in this document on health, house building and the lower paid but I am worried about the lack of attention paid to the imbalance between the east and west of the country. This applies especially to infrastructure. The Galway City outer by-pass will not receive funding until around 2012. That is not good enough. Social partnership will be of no use in the west when the scales have been skewed so much towards the east, with port tunnels and airports. All of the major roads to the East are toll free, except to those from the west of Ireland. This is a hindrance to the development and maintenance of employment and the success of businesses. We do not want a situation involving longer and longer queues of commuters and people getting up at 6 a.m. and returning home at 8 p.m. We must restore the balance and focus on regional infrastructure if projects such as decentralisation and balanced regional development are to work.

I am concerned by the overdependence on taxing not exports but the building industry, stamp duty on developments and so on. This is dangerous and we can create a false sense of security but if we do not pay attention to the value chain and how high value jobs are created throughout the country. Social partnership will not matter because there will not be enough jobs to protect.

A review mechanism is important as are frank and open discussions in this House. I look forward to participating in such discussions in the coming years.

Mr. Ross: I hate to break the consensus that seems to exist in this House.

Dr. Mansergh: The Senator loves breaking the consensus.

Ms O'Rourke: He loves doing it.

Minister of State at the Department of the Taoiseach (Mr. Kitt): It would be a very boring place if Senator Ross did not do so.

Mr. Ross: I am suspicious of the consensus on this issue because so many people, including Charlie McCreevy, John Bruton and others had been sceptical of social partnership until they got into Government. It seems that people change their minds when they get into Government and I suspect it is a convenient tool for Government but not necessarily a good one for the country.

What has been sincerely expressed by many on this issue, including Senator Mansergh, perpetuates the myths on which social partnership is built. These myths, by definition, cannot be proven. One such myth ran through the speeches of almost everyone in this House as, unsupported by evidence, speaker after speaker claimed social partnership is responsible, or partly responsible, for our economic success. There is no evidence whatsoever to prove that is the truth. There are

plenty of coincidental economic events which happened at the same time but the connection is impossible to prove. It is completely and utterly foolish to say that because this happened from 1987 onwards that it is responsible for our economic success.

Ms O'Rourke: Partly.

Mr. Ross: I suggest that in the main it is not true at all.

Dr. Mansergh: It is an improvement.

Mr. Ross: The reason people say this is that it is a great way of patting ourselves on the back for the economic success that has taken place. The economic success has got far more to do with two other factors — the great decision taken by Donogh O'Malley more than 40 years ago to have free education, a magnificent decision; and the other, which is less palatable to this House, is the incoming multinationals who provided the jobs and the engine for the economic recovery. The coincidence about that is that they were attracted by——

Mr. T. Kitt: Corporation tax.

Mr. Ross: Precisely.

Ms O'Rourke: And tax concessions.

Mr. Ross: The extraordinary peculiar and inconvenient fact about that is that the multinationals are not represented at the social partnership talks. They do not have anybody at the talks. The engine of the economy has nobody at the talks. They have contempt for the talks, they do not abide by the wage agreement and do not have anything to do with it. They pay their people in a completely different way. I cannot prove that multinationals are the only cause of economic success any more than anybody else who is perpetuating the myth that it is social partnership. It is not. I do not know whether it was partly to do with it or not but I doubt it. Please do not assert it because there is no evidence for it.

It has been stated here that this is a democratic operation that has been taking place in Government Buildings for six months. That is nonsense. It has bypassed Members of this House and the other House and has been sewn up without any input from this House and most Members of the other House.

Mr. Finucane: Hear, hear.

Mr. Ross: The other point about democracy is that we should ask who these people represent. Both IBEC and ICTU are imposters. IBEC does not represent business. Senator Feighan said he was not represented by IBEC, he has a small business. IBEC represents all the big banks and the semi-States. They are their principal pay-

[Mr. Ross.]

masters and the people who are pulling the strings. ISME is not represented.

Who do the unions represent? The trade unions represent less than 25% of the workforce. The first trade union to come out has already opposed this agreement. The unions do not represent those working in the multinational sector or for Ryanair and several other important cogs in the economy. What is represented here is old Ireland, not new Ireland or modern Ireland. Please do not tell me that those who work in the IFSC—

Dr. Mansergh: Social partnership is part of modern Ireland.

Mr. Ross: —every day are looking to their unions to see them negotiate their deals in Government Buildings. They do not give two hoots about this deal but these two imposters go to Government Buildings and negotiate much more than a pay deal.

Senator Cox eloquently broadened the agenda enormously to include housing, old age and education. These people are not only negotiating a pay deal, they are writing, without a mandate, the Government programme. They have an input into the budget which nobody in the House ever has and which Fianna Fáil backbenchers never have. They are usurping the democratically elected representatives because it is convenient for successive Governments to give them that type of power.

The third myth is that they have somehow brought industrial peace. Industrial peace has been reasonable in that period but there has not been industrial peace *per se*. We have had airports closed and threats of strikes from the post office union. Senator Ryan said the consequence will be industrial unrest if certain things happen. He is right. It does not stop people making threats of industrial unrest. If there is an economic downturn the clause on industrial peace will be thrown out the window as fast as any other clause. The reason we have had industrial peace has much more to do prosperity than social partnership.

This is a deal between the public sector and big business. They are hoodwinking other people into the belief that they are somehow represented in this deal. They are now. Within this public service deal there is the big fudge, the utter fiasco, which we were expected to believe on the last occasion was true, that is, that the public sector, for the benchmarking and the added value it gets out of this deal, is supposed to deliver some performance. All kinds of extraordinary committees, called performance verification groups, were set up which are an utter charade to verify that there had been public service performance to merit this. There has been virtually no improvement in public service performance. How can we say as Members of the Seand and the Dáil who got per-

formance related bonuses pay that our performance has improved? Our performance has not improved, there is no measurement of it and there is nobody to measure it.

Ms O'Rourke: Did the Senator take it?

Mr. Ross: That goes through every single area of the public service.

Ms O'Rourke: Did the Senator accept the benchmarking bonus or did he send it back?

Mr. Ross: That is a cheap jibe.

Ms O'Rourke: Not one bit.

Mr. J. Walsh: I wish to share time with Senator Daly. There is no doubt that over the past 20 years social partnership has played a significant part in economic growth. It is wrong to argue it did not. Equally it is wrong to argue that it be given full credit for where we are because that is not the case. Undoubtedly our EU membership and particularly the overseas industrial development we attracted was a significant factor as was free education and the work ethic of the people.

One of the best aspects of our EU membership was that we began to model ourselves on Germany, which was successful, rather than our slavish approach to following everything that was British, which was a mistake. We did that at the right time. It contributed to a better industrial relations environment particularly in the private sector. The same did not apply in the public sector. That it did not make any contribution to productivity in the work place, as some Members have said, is a fallacy. Many industries are in a position to pay more and do pay more. Market forces dictate the amount employers pay to retain good personnel within their companies. There are traditional industries where employees have been helped.

In regard to the public service, my fear is that it has become a baseline upon which unions have successfully built through benchmarking and other things. If there is to be further benchmarking the pay scale in the public service, which is outstripping the private sector, is a huge risk factor. Any future benchmarking should deal with similar jobs and positions and responsibilities within the rest of the European Union. There should be complete flexibility in the workplace. There are too many restrictive practices in the public sector in particular. These must be eradicated.

Mr. Daly: I thank the Taoiseach for his intervention. I wish to put on record the contribution the Taoiseach made as Minister for Labour in the early days of the establishment of the formula for these agreements.

Dr. Mansergh: Hear, hear.

Mr. Daly: It is perhaps time to examine the success of the agreement up to now and broaden the horizons of the process. It would not take from social partnership if some Members of the Oireachtas were part of the team involved in negotiations.

I listened carefully to Senator Ross and I value his views on the matter. In the contribution he made, he did not at any time offer any alternative.

Ms O'Rourke: No, except a free for all.

Mr. Daly: I recall vividly, when I was in Government in those early days of the process and beforehand in the 1980s, industrial dispute after industrial dispute. People walked up and down outside after marching to Leinster House. People were at the front and back gates. It was almost impossible to get in on numerous occasions. We do not want to go back to the days when there was industrial chaos. It would be disastrous for the country.

An Leas-Chathaoirleach: The Leader has five minutes to conclude.

Ms O'Rourke: I did not think I was allowed to speak on the motion.

An Leas-Chathaoirleach: As the proposer of the motion, the Senator has five minutes to speak.

Ms O'Rourke: I was told by the Clerk of the Seanad that I may not speak again, having already spoken.

An Leas-Chathaoirleach: The Senator may reply to the debate but cannot speak to the amendments.

Ms O'Rourke: Is that a change?

An Leas-Chathaoirleach: The Senator is entitled to speak as the proposer of the debate.

Ms O'Rourke: I thought so. The Clerk to the Seanad stated that I could not. I accept the direction of the Leas-Chathaoirleach.

An Leas-Chathaoirleach: As the proposer, the Senator can speak to the motion.

Ms O'Rourke: That is what I believed. I often saw people standing up at the end of similar debates to speak. I was under different orders tonight. Being a good person I wished to obey orders. I will obey the direction of the Leas-Chathaoirleach.

I am pleased to wind up the debate. I am sorry that Senator Daly was cut short, but the allocated time was up. I welcome the strong debate we have had. As the Minister of State, Deputy Kitt, has stated, it would be an odd day if there was no disquiet, debate or opposing viewpoints. We

would really be worried about ourselves in that case. We were expecting Senator Ross to participate with varied comments.

I did not hear any alternative put forward by Senator Ross. That left me to believe that the Senator wanted a free for all, including mayhem, mishaps, etc. The Senator spoke in glowing terms of the American input, but they got a great deal in their taxation arrangements. Equally, they received a good deal because they were coming into a workforce which would guarantee relative industrial calm. That was a very good arrangement to come into. We are very appreciative of what that section contributes to this country.

Senator Ross did not give his own ideas about how we might conduct ourselves, so we are at a loss to know. The alternative to having agreement is a free for all. Nobody wishes to return to the period when there were such conditions in the country. Senator Mansergh spoke of an article which appeared in Senator Ross's newspaper last week. The article was not in the Senator's pages, but the main pages of the newspaper. The article was very critical of what was termed "pussycat" Government and "pussycat" unions, and the potential outcome of partnership.

I accept that Senator Ryan's disquiet about the arrangements for the TUI in the institutes of technology. I have spoken to people in the institute of technology in Athlone, who brought forward their ideas to me. I hope, whether the problems are textual or related to terminology, that they can be worked through. It is very important that the TUI be brought in. It serves a significant purpose in this country, and it is a fine union both at second and third level. I have always had the most excellent of relationships with the union. I hope the matters can be resolved.

Perhaps the matter is only textual. On reading it myself I believed it so. The words were strong in the arrangement laid out. Perhaps they can be looked at.

I thank everybody who contributed to the debate. It was a full discussion, particularly with the Taoiseach here. Debate came from all around the House and from all parties. I thank the two Ministers of State who attended, Deputies Treacy and Tom Kitt. It was an open and frank debate.

The Taoiseach stated he would like this House to be the lead in debating the partnership at regular intervals. He also spoke of having the principals before the House to discuss the arrangements. I thank all for what I regard as a very satisfactory debate with a good bite at the end.

An Leas-Chathaoirleach: We will now deal with the amendment to the amendment.

Ms O'Rourke: I move amendment No. 1 to amendment No. 1:

[Ms O'Rourke.]

In the third paragraph to delete "behind closed doors".

Amendment to amendment agreed to.

Ms O'Rourke: I move amendment No. 2 to amendment No. 1:

In the third paragraph after "scrutiny" to insert "but welcomes the new role for Seanad Éireann in respect of debating the new agreement as outlined by the Taoiseach's comments".

Amendment to amendment agreed to.

Ms O'Rourke: I move amendment No. 3 to amendment No. 1:

To delete paragraph six and substitute "is concerned at the lack of representation of consumer interests; and".

Amendment to amendment agreed to.

Question, "That amendment No. 1, as amended, be agreed to", put and declared carried.

Question, "That the motion, as amended, be agreed to", put and declared carried.

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

Ms O'Rourke: Next Tuesday at 2.30 p.m.

The Seanad adjourned at 7.10 p.m. until 2.30 p.m. on Tuesday, 27 June 2006.