

DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

# SEANAD ÉIREANN

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

*Wednesday, 17 December 2008.*

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# SEANAD ÉIREANN

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*Dé Céadaoin, 17 Nollaig 2008.*  
*Wednesday, 17 December 2008.*

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Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

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*Paidir.*  
*Prayer.*

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## **Business of Seanad.**

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

The need for the Minister for Health and Children to reconsider the closure of Bethany House in Carlow, a 30-bed HSE residential care facility.

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

The need for the Minister for Social and Family Affairs to clarify the resources she is putting in place to clear the backlog of social welfare payments in Cork city and county.

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

The need for the Minister for Education and Science to outline his response to a request from Educate Together to become a patron of second level schools.

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

The need for the Minister for Health and Children to ensure patients in Donegal are not disadvantaged in their access to the National Treatment Purchase Fund, given that there seems to be a longer than average waiting time in Letterkenny and a longer than three-month waiting time to qualify.

I regard the matters raised by the Senators as suitable for discussion on the Adjournment. I have selected those of Senators Norris, Buttimer and Fitzgerald and they will be taken at the conclusion of business. Senator Keaveney may give notice on another day of the matter she wishes to raise.

## **Order of Business.**

**Senator Donie Cassidy:** The Order of Business is No. 1, motion re commemoration of the 90th anniversary of the first sitting of Dáil Éireann, to be taken without debate at the conclusion of the Order of Business; No. 2, Motor Vehicles (Duties and Licences) (No. 2) Bill 2008 — All Stages, to be taken at the conclusion of No. 1, to adjourn not later than 5 p.m. and to resume at the conclusion of No. 28, if not previously concluded, with the contributions of spokespersons not to exceed ten minutes and those of all other Senators not to exceed seven minutes, and

[Senator Donie Cassidy.]

Senators may share time; and No. 28, motion 30 re foster care services, to be taken not earlier than 5 p.m. and to conclude not later than 7 p.m. The business of the House will be interrupted between 1.30 p.m. and 3 p.m.

**Senator Frances Fitzgerald:** Yesterday, a number of Senators expressed complete frustration, annoyance and concern at the lack of democratic accountability and debate in the House on the issues facing the country and the reluctance of the Government to engage in consultation while, at the same time, saying it is time for everyone to do their patriotic duty. The House is not being consulted on the issues of the day and I refer to three areas in particular.

Yesterday, the HSE's national service plan for 2009 was laid before the Houses of the Oireachtas. It outlined cuts worth €500 million but the HSE stated last night that the plan is dated and it will have to provide for an additional €400 million in cuts. Front-line staff will pay the price for the €900 million worth of cutbacks in health services. The Minister for Health and Children referred yesterday to an excess of accident and emergency departments and the need to reduce their number. We may have an excess of junior Ministers but we do not have an excess of doctors in accident and emergency departments.

**Senators:** Hear, hear.

**Senator Frances Fitzgerald:** These departments are full of people on trolleys waiting to be looked after and this is documented every day. All of us who have attended an accident and emergency department over the past few months know the staff are incredibly hard pressed. Who will pay the price? There is no democratic accountability. The HSE is a bloated bureaucracy out of control with huge ongoing expenses but front-line services are being cut. I do not recall any Minister referring to €900 million worth of cutbacks during debates in the House. An out of date report was laid before us yesterday. It is disgraceful that there is such a lack of democratic accountability, discussion and serious consultation with the Opposition regarding how the economic crisis facing the country will be addressed and managed. Asking for co-operation in the context of such an approach is ridiculous.

A number of Senators commented yesterday on the Taoiseach seeking support from the social partners for some plan, the details of which are not clear to anyone. There was again no consultation with this House on the detail of the plan. Will the Leader outline when the plan, if it exists, will be put before the House? I am not sure people believe there is a plan, given that the information changes almost daily.

A few days ago, the Government announced a capitalisation plan for the banks. Yesterday, representatives of the banks appeared before a joint committee and gave a completely different story. Where is Government accountability? When will Ministers come before the House and detail how they intend to deal with the economic crisis?

**Senator Joe O'Toole:** Senator Fitzgerald raised crucial points, including the need to engage on issues, a matter I raised on the Order of Business yesterday. The Seanad has refused to become topical because the Leader has failed to arrange debates on issues such as education when requested to do so.

While I concur with the point made about the lack of discussion and engagement with this House, this should not be interpreted by Senators, as some did yesterday, as being in some way in favour of excluding the social partners. Senator Fitzgerald made a good point when she noted that while it is fine for the Minister to meet the social partners, he should also come before the House. That is the real issue. To those who argue this is the end of social partnership, I say there has never been a greater need for the Government to engage with civic society.

**Senator David Norris:** Hear, hear.

**Senator Joe O'Toole:** Social partnership is the only forum where Government can engage with all sides — labour, business, the farming community and the community pillar, which includes the unemployed and various voluntary bodies. There is no more vital place in which the Government can engage and demand and secure support. This will only work, however, if engagement also takes place at political level.

On two occasions in recent months Senator MacSharry raised the need for the House to track and monitor developments in social partnership. A committee of the House should engage with the social partners to ensure the House monitors and is informed of all developments in social partnership. Never has this been more important. Irrespective of the issue, whether the Lisbon treaty or the economy, the time has come for the Government to meet and engage with all levels of civic society, and it can only do this effectively if it brings with it the political tier, particularly the non-government side.

A crucial issue must be addressed and I appeal to the Leader to make this clear to the Government. There is no point in whinging about not making progress on the Lisbon treaty or not being understood on the economy if Ministers do not come before the House to mix it with us and have the type of engagement it has in other places.

**Senator Phil Prendergast:** I take issue with the comments made by the Minister of Health and Children yesterday on the three accident and emergency units for children in the Dublin region. The Minister stated these units have an average of only 20 admissions per night. It can take six people up to six hours to stabilise one child. Accident and emergency unit needs should not be measured by numbers but by dependency levels. Children can go from well to dead in six hours. The number of people attending an accident and emergency unit is not connected to the need to have professional staff doing their job correctly.

With 450 acute beds closed in the health service, it is proposed to close a further 650 beds in 2009, of which 70 are located in the Dublin and mid-Leinster region. This means 580 beds will be closed in the rest of the State. I ask the Leader to request that the Minister outline the number and location of bed closures.

The Government claims to be interested in regional development. Has this interest been extended to public service investment? It is subsidising private care for private patients in public hospitals. Savings of €100 million could be made if private patients had to pay the full economic cost of their care in public hospitals. Approximately €100 million has been spent on the National Treatment Purchase Fund at a time when hundreds of health care workers have been thrown on to the dole. It does not make sense to continue cutting front-line services. The Minister must discuss with all stakeholders where economies can be achieved without affecting front-line services. The best organisations to deal with this issue in the long term are the unions.

Consultants are set to benefit to the tune of €200 million while €10 million was considered too much to protect young people from cervical cancer. This is not an anomaly, it is an embarrassment which demonstrates how the policies of vested interests triumph over best practice in preventive health care. Front-line health services must be reprioritised carefully. If we choose to disadvantage those who are on trolleys or cut vital services, people will die. We cannot have that on our hands.

**Senator Terry Leyden:** I ask the Leader to plan to have a Minister of a different Department before the House to be questioned by Senators every week. This would enable Senators to have a dialogue with a Minister with responsibility for a different area each week and to discuss the development of policies. The House should have a role in this area. While joint committees

[Senator Terry Leyden.]

serve a great purpose, they are not a House of the Oireachtas. As a separate House, the Seanad should have an input into various policy issues. I would like the Opposition to put forward ideas and try to assist the Government at this particularly difficult time.

**Senator Jerry Buttimer:** The Government would steal them.

**Senator Frances Fitzgerald:** The Government has not listened to the Opposition for the past ten years.

**Senator Terry Leyden:** The reactivation of the Tallaght strategy would be a positive development.

**Senator Jerry Buttimer:** The Senator had his own Tallaght strategy at breakfast yesterday.

**Senator Terry Leyden:** Senator Buttimer is the lost leader of Fine Gael.

The housing sector is in a critical position. A large number of surplus houses are available and small developers will go out of business next year unless action is taken. At the same time, the State pays more than €300 million per annum in rent subsidies. The Government could purchase as many houses as possible at the lowest possible rate, which would be a knock-down price. If some of the surplus houses are not used in the next six months, quality will deteriorate to the point that they will be demolished. As the Cathaoirleach is aware, one must keep a house heated or it will deteriorate.

**An Cathaoirleach:** There is no danger of this House falling, given the heat in it.

**Senator Terry Leyden:** It was close to falling two weeks ago. The building is not in great shape but the proposed works had to be deferred.

**Senator David Norris:** The Senator can rest assured that the development of the House would get the Government out.

**Senator Terry Leyden:** I suggest there should be a sale of the century to enable local authority tenants to purchase their homes, as occurred in the mid-1980s when we were under pressure. We should sell local authority housing at knock-down prices because people want to own their home. An offer should be made to tenants to buy their homes and the money from sales should be diverted into building more local authority housing or to purchase surplus houses. This would be an opportunity. I hope it will be possible to have a Minister from a different Department before the House each week in the coming months to discuss relevant issues.

**Senator Paul Coghlan:** I concur with Senators Fitzgerald and O'Toole. Something is seriously amiss about the way in which the House is being left in the lurch by the Government and the lack of details and debate on the many important issues to which Senators referred. We heard a great deal about banks yesterday and they are still very much in the news today. This is one of the most important issues facing us because the only reason we want to save the banks is to save the economy. Senators are aware that lay-offs and redundancies are taking place every day. While we have had a big, bold headline about the €10 billion co-fund, the fund is still not in place and we do not have any details about how it is to be utilised.

In the first instance, the Government should move with the shareholder but it is at cross-purposes with the banks. It is waiting for the banks to tell it which two of the six institutions are most vulnerable to be merged or taken over. The banks will not do so. It is also waiting for the banks to agree that the officials who received bonuses in the past five years on false

pretences will fall on their swords. They will not do so. The Government needs to get real with the banks about the bail-out or the economy will continue to be starved of cash and the businesses for which Senators have such great sympathy will not be able to get the lines of credit and working capital they require to continue. The banks are prepared to make money available——

**An Cathaoirleach:** The Senator has made his point.

**Senator Paul Coghlan:** The Leader knows the situation as he is a businessman. Banks will lend a hundred if they are given a hundred as security. What about the working capital required for a long-running business which wants to keep going? That is the problem. The Government must get real with the banks. It is no good to let them off for another few weeks to think about it and come back. They will not give the Government that kind of detail.

We must not forget the shareholder, the widow, the widower and people who have invested in the banks for years. Has the Government discussed the rights issue with them? We need to get answers to these questions.

**An Cathaoirleach:** The Minister for Finance, Deputy Brian Lenihan, will come to the House later in the week.

**Senator Cecilia Keaveney:** I have just realised that the legislation on party pills will not be introduced in this term. With the advent of the Christmas season it is linked to the health debate on prevention being better than cure. I call on the Leader to ask the relevant Minister if this matter can be addressed by regulation that can fast-track the European demand for us to ban these pills by March.

I also ask that we continue the debate on the abuse of alcohol early in the new year. Last Sunday, the national broadcaster had a very interesting programme which demonstrated that people did not realise what they were consuming until it was put in front of them in glasses. We are coming into a season when there will be more use and abuse of alcohol, and I do not say I will not partake of it myself. We need to return to the issue.

I note in some areas in the UK bedroom slippers are being given to girls who are inebriated to prevent them breaking their ankles owing to their high heels. A number of strategies have been deployed to keep people who have over-indulged safe. I ask the Leader to address this serious issue, the cost of it to our health service and the need for preventative measures to ensure this aspect of our culture changes.

**Senator David Norris:** This Government is both arrogant and frightened, which is a dangerous combination in difficult times. The doubling of the cuts in the health service from €400 billion to €800 billion or €900 billion overnight is a staggering situation. We need to ensure the service provision is not affected and inefficiencies are cut out.

I was aware of a case a year or two ago of a woman who fought valiantly for her son who suffered from a syndrome, the name of which I cannot remember. It was agreed that the service would be provided and the first stage was the appointment of three managers. Immediately after that, there was an embargo on recruitment in the health service. There are three managers who must be paid and no delivery of service for the child. That is the kind of nonsense that is now not tolerable.

I wish to raise another matter. I asked the Leader of the House about a leak of information from the immigration service. He promised he would get the information, but I have not received it and would like to ensure I do.



[Senator David Norris.]

I must lay the groundwork for my question to the Leader today. While I will not name anyone and did not do so yesterday, officers of State are accountable. I do not mean to pillory any individual but the office is accountable. I will outline the sequence of events. The then head of the Prison Service was involved in a situation where a chaplain was fired because of an alleged release of information required during the course of an inquiry. A complaint was made to the Equality Authority, a significant part of it was upheld and the Department concerned had to pay an award of €40,000. It was found the release had been illegally used and the former head of the Prison Service and now Secretary General of the Department of Justice, Equality and Law Reform is undergoing an inquiry by the Garda Síochána.

I find that astonishing. A Minister for Justice, Equality and Law Reform was jailed and now the Secretary General of the Department is being investigated. The person involved moved jobs, with which there is nothing wrong, and became Secretary General of the Department of Justice, Equality and Law Reform which has responsibility for the Equality Authority. The authority has now been humiliated and destroyed. It is an interesting sequence of events and we are entitled to some accountability. A background note was issued on Monday from the Department of Justice, Equality and Law Reform which confirmed that the Minister for Justice, Equality and Law Reform, Deputy Dermot Ahern and the Irish Prison Service were vicariously liable for the unauthorised release of this confidential information.

Will the Leader find out immediately what is meant by the phrase “vicariously liable”? Is it a legal term? Does it have any validity or is it an attempt to evade responsibility? The Secretary General involved is not making any statement at this stage; I believe he should.

It says that a Roman Catholic bishop——

**An Cathaoirleach:** What newspaper is the Senator quoting from?

**Senator David Norris:** *The Irish Times* from Tuesday.

**Senator Joe O'Toole:** The newspaper of record.

**Senator David Norris:** It is the newspaper of record, apart from the *Irish Examiner* which is an equally good newspaper.

**An Cathaoirleach:** We are not advertising newspapers this morning.

**Senator David Norris:** We are told a Roman Catholic bishop, on foot of this illegally distributed information, fired the prison chaplain. He was the quasi-employer of the priest. What is a quasi-employer? Can we have a definition from the Leader of the two terms I mentioned? Can we find out if the Secretary General is now considering his position?

**An Cathaoirleach:** I do not want individuals recognised.

**Senator David Norris:** What is “vicariously liable” and what is a “quasi-employer”?

**An Cathaoirleach:** I remind the Senator that Members have privilege in this House and it should be respected.

**Senator David Norris:** I have respected it. I have not named anyone. I am asking for responsibility and accountability by servants of this State.

**An Cathaoirleach:** While Members may not name someone, those people could be clearly identified by others and I do not want that to happen.

**Senator Terry Leyden:** I could identify those people.

**Senator Labhrás Ó Murchú:** The decision to commemorate the first sitting of Dáil Eireann next month is to be welcomed. I hope it will not be confined to a joint meeting of the Houses of the Oireachtas. It is good in itself and will take place in an historic location. It should also be embraced by schools, the media and local communities. It is a reminder of the tenacity of the people and the manner in which we can confront and overcome what seem like insurmountable challenges.

We can also recall the sacrifices of the few for the general good. There is no doubt we have made significant progress and many of the visionaries in those days, if they were with us today, would be delighted to see we have taken our place among the nations of the earth. There is no doubt we face monumental economic challenges. Instead of a cosmetic commemoration, I would like to think we would use it as a rallying point to overcome the difficulties we face.

The old dictum states it is better to light a candle than curse the darkness. Why not have candles lighting throughout the country, with people rallying and working together. The people who suffer at a time like this are those who cannot help themselves and are the most vulnerable. Those who can help and make sacrifices should do so, but it will not happen unless we provide a rallying focus in the country.

I am worried that we are not grappling with the problem in an idealistic way. We are not demonstrating a commitment to the entire community and seeing how we can all help. Nothing traumatises a person more than waking up one day and being told they no longer have a job.

**Senator Mary M. White:** Hear, hear.

**Senator Labhrás Ó Murchú:** How must it be for people who realise that they are facing 35 years of mortgage repayments and do not have the wherewithal to do that? What about people who cannot look after the needs of the children in their own home? Surely this is what sovereignty and independence is all about. Can we do something, in addition to that joint meeting, to rally the people of Ireland and the diaspora to see if we can we work together to bring these current difficulties to an end in the shortest time possible?

**Senator Paschal Donohoe:** I call for a debate on the decision of the US Federal Reserve to cut interest rates to a quarter of one point, which is effectively a zero interest rate. What happened last night has changed the world economy. Following America's decision, it is likely that the Bank of England will cut its interest rates to a similar level and that central banks across Asia will do the same. The consequences of that upon our competitiveness as a country are profound. The value of the dollar and sterling will fall, and the competitiveness of our service and export businesses will come under an assault the like of which they have not experienced in recent years.

This morning we spoke about accident and emergency services, school funding, the ability of people to buy homes and so on. All this is predicated on the viability of our economy, which has been based on its ability to be competitive. What happened last night is changing the world so our economy needs to be competitive. Unless we have a single-minded focus on what is required for our country to become competitive, our ability to do all the things we want to do will go out the window. We are beginning to get obsessed with the banks and with holes in public finances, which are easy to understand. The bigger challenge is to confront the massive assault to the competitiveness of our country in reaction to what is happening in the rest of the world.

The spirit to which Senator Ó Murchú referred was characterised by leaders from all political parties 90 years ago. The one quality they all shared was an ability to recognise the state of

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[Senator Paschal Donohoe.]

our country at the time and to act upon it. I have to conclude that such a spirit is lamentably lacking in the Government that is in place at the moment.

**Senator Ivor Callely:** I support the call by Senator Donohoe for a debate. I support much of what he said about the global impact of what happened in America last night. I also support much of what Senator Ó Murchú said about job creation, sustaining jobs, the importance of competitiveness, particularly as an island nation, for our export markets and so on. In light of the changing circumstances in which we find ourselves, we should allocate time in the Seanad to deal with the economy as it has been changing rapidly and will continue to do so in 2009. We need a slot to deal with economic matters which we have consistently raised on the floor of the House.

The HSE issued its service plan for 2009 in line with legislation. Will that be the plan adhered to in 2009? I have an interest in the demand-led services for older people, especially the home care packages. It is important that we have clarity on what will be provided in 2009.

While there is much doom and gloom around, it is great that we have some fantastic entrepreneurs who are prepared to invest millions of euro in facilities that we can all enjoy. I refer to Harry Crosbie's revamped Point Theatre, now known as the O2. It had a tremendous opening night last night and I congratulate Harry Crosbie and all those involved in providing such a wonderful facility.

**An Cathaoirleach:** We are not in the promotion business.

**Senator Dominic Hannigan:** The implications of last night's interest rate cut in the US will be seen worldwide. The reduction in the interest rate on the dollar will probably lead to a reduction by the Bank of England. That will mean the euro will rise again against the pound and the dollar, two currencies on which we depend strongly for our tourism income. We may well see fewer tourists next year from the US and the UK because of the cost of coming here.

An article in *The Observer* this week claimed that prices in Dublin hotels had risen from €120 last year to €160 just because of the currency fluctuations.

**Senator Donie Cassidy:** That is not true.

**Senator Dominic Hannigan:** That was in the newspaper last Sunday.

**Senator Donie Cassidy:** So what?

**Senator Dominic Hannigan:** We need to make sure that we tackle this problem. The Leader should arrange for officials from Fáilte Ireland to come in here and tell us what they will do to make sure that the competitiveness of our tourism market is not affected by the currency fluctuations.

I congratulate the Office of the Director of Corporate Enforcement on its publication of a guide to management companies. It outlines not just owners' rights, but it is also a guide for the agents of management companies and what they should do. It is about time we saw this because management companies are causing heartache for many thousands of property owners in the commuter belt. I received an e-mail yesterday from somebody in Tyrrelstown, outside my area, complaining that there are 2,500 apartments, but nobody knows why they are paying management fees. They are unregulated and fees can be as high as €100 per month. Senator Ó Murchú mentioned the cost of mortgages, yet for many young couples, the cost of management fees must be added to that.

We saw action from the Office of Consumer Affairs earlier this year. We have advice published by the Office of the Director of Corporate Enforcement, but we have not seen action by the Government, in spite of promises to the contrary in recent years. I again ask the Minister to do something to regulate management companies.

**Senator John Hanafin:** I ask the Leader for a number of debates on finance and the economy. It is interesting to hear comments that are made in the light of immediate circumstances, without realising their impact. If the competitiveness of the euro declines, the ECB has many options open to it, including reducing rates. We can be certain that the ECB will decrease rates as competitiveness changes. Similarly yesterday the debate raged about recapitalisation of the banks. I was at the finance committee meeting yesterday and officials from the two major banks, which hold 70% of the market here, made it quite clear that they did not need recapitalisation. When they were told that they might need recapitalisation, they made it quite clear that they would only take it on certain terms.

The debate should focus on the reality, which is that we are in severe difficulty, but practical undertakings are being made. I commend SIPTU and Jack O'Connor. In Dublin Airport, workers recently decided to take a 10% pay cut to keep their jobs. That is a very practical and positive application at a time when something like this was needed. We need to see more of this and we need to see measures such as workers co-operatives taking over when jobs are being sent abroad. These jobs could be easily kept here.

I fully support the idea that we can look after the economy ourselves and make a better job of it. The answer does not involve providing for short-term solutions when we have to hand more appropriate solutions, including further ECB rate cuts. The answer is to ask people to realise the situation and to move forward together in the new paradigm.

**Senator John Paul Phelan:** I join Senator Ó Murchú in welcoming the decision to organise a joint session of both Houses of the Oireachtas to commemorate the 90th anniversary of the first sitting of the first Dáil. It is appropriate that we should convene in such a manner. I would like to raise a number of issues, most of which have already been mentioned.

The HSE placed its service plan for next year before the Oireachtas yesterday. Senator Callely asked whether the plan, which provides for cutbacks of more than €400 million, is already out of date. The media is reporting today that the HSE has confirmed that the document published yesterday is already “dated” — that is the exact term that was used. The HSE expects to have to save a further €400 million in addition to the cutbacks of €400 million that were announced yesterday. That is the official position of the HSE as things stand. It is a rather convenient position for the Government as it allows it to wash its hands of the spending needs of the health service. The Government has farmed out such decisions to the HSE. Before this session ends this week we should have a debate on the financial crisis that our hospitals and medical services will face next year if these cuts of almost €1 billion are made. Such a debate would be particularly important at this time of economic downturn.

We know that many people will seek to avail of the drugs repayment and medical card schemes next year. As Senator Ó Murchú mentioned, increasing numbers of people are finding themselves out of work. In that context, more people will have to rely on the medical card scheme at a time when the Government is talking about taking €1 billion from the health service, which is a slashing of services rather than a cutback. As Senator Fitzgerald said, accident and emergency units seem to be singled out for particular attention. I join Senator Prendergast in asking the Government to list the hospitals in which accident and emergency services will be cut.

[Senator John Paul Phelan.]

As I was unable to be present for yesterday's Order of Business, I am not sure whether the Leader clarified the status of the request for a debate with the Minister for Education and Science. When is the Minister, Deputy Batt O'Keeffe, likely to come to the House to discuss the cutbacks in the education sector? I refer in particular to the reversals he has announced since the Budget Statement some weeks ago.

I ask the Leader to investigate a matter that was drawn to my attention this morning at a breakfast meeting of the Joint Committee on Enterprise, Trade and Employment and the Irish Farmers Association. The Leader also attended the meeting, at which it was claimed that local authorities across the country are currently hiring inspectors to duplicate the farm inspection work of the Department of Agriculture, Fisheries and Food. Is that the position and, if so, why are additional inspectors being hired? Can the Leader shed some light on the issue?

The final point I would like to make relates to the capitalisation of the banks. Representatives of the leading banks, which control approximately 80% of the market in this country, attended a meeting of the Joint Committee on Finance and the Public Service yesterday. I was shocked to hear the officials say that the banks do not need recapitalisation. The Government is proposing a scheme of recapitalisation. We have not had a debate on the scheme and we do not know the detail of it. We should have a detailed discussion as soon as possible, certainly before the House adjourns at the end of the week. We have not really discussed the banks since we passed emergency legislation some months ago.

Senator Donohoe spoke about the decision of the US Federal Reserve to cut that country's lending rate to 0.25%. If there continues to be such a large gap between the US rate and the current ECB rate of 2.5%, it will have serious implications for tourism, as previous speakers said, and for Irish industry as a whole. We should have a discussion on issues such as bank capitalisation and interest rate levels, as a matter of urgency, before we leave for the end of the year. I appreciate that we will consider the Finance Bill and the Appropriation Bill before the end of the week, but the matters to which I refer are not covered in those Bills. We should discuss such subjects this week.

**Senator Ivana Bacik:** I agree with the Senators who are seeking a debate on the economy. As I recall it, the Leader promised that the House would debate the economy on a regular basis.

**Senator Joe O'Toole:** That is right.

**Senator Ivana Bacik:** If I am not mistaken, he promised that we would have such a debate every month.

**Senator Paul Coghlan:** He said it would be a rolling debate.

**Senator Ivana Bacik:** I ask the Leader to support the calls made by Senators on both sides of the House for a debate on the economy. I ask him to confirm that in the new year, he will hold a debate on the economy once a month. We need to discuss economic matters that regularly, at least.

I join Senators Fitzgerald, Prendergast and others in calling for a debate on the HSE plan. All Members must be deeply concerned about the HSE's statement that enormous cutbacks of approximately €900 million will be required in the health service next year. We should also be concerned that the Minister for Health and Children has apparently expressed the view that accident and emergency departments are over-staffed. I wonder if the Minister, Deputy Harney, has visited such a unit recently. Those of us who have visited them have a different perspective. It seems that accident and emergency departments are significantly understaffed.

As the Minister and the HSE have proposed the closure of a further 600 beds, in addition to the 400 beds that are already out of commission, each of us has to conclude that accident and emergency units will face more pressure and that there will be even less availability of front-line medical services to patients who need them.

I ask the Leader to arrange a debate on the dismantling of the State structures that support equality and anti-discrimination measures. I support the excellent motion that has been tabled in this regard by my colleague, Senator Norris, who made a commotion on the matter yesterday. The motion condemns the Government's decision to close the Combat Poverty Agency and undermine many other agencies, notably the Equality Authority, the Irish Human Rights Commission and the National Consultative Committee on Racism and Interculturalism. It is sad that these organisations, which have built expertise and developed a body of work over a number of years, are being dismantled so swiftly by the Government. One has to conclude that there is a vicious vendetta against any body that dares to criticise the Government——

**Senator David Norris:** Exactly.

**Senator Ivana Bacik:** ——and speak up for the vulnerable and disadvantaged in our society. We need a debate on this global issue. It seems to be more than a coincidence that the bodies being closed have been critical of various aspects of Government and State action. This House should ask the Minister for Justice, Equality and Law Reform to justify the decision to dismantle these organisations. Why is he putting to waste the expertise and body of work that have been built up? We deserve an answer to that question, especially as the savings in question are relatively small. I ask the Leader to arrange a debate on the matter with the Minister, Deputy Dermot Ahern.

**Senator David Norris:** Well said.

**Senator Alan Kelly:** I agree with what Senators Hannigan and Donohoe said about the impact on this country's competitiveness of the US interest rate changes that were announced last night. I will not repeat what they said. When I attended the *Business and Finance* awards last week, Mr. Niall FitzGerald, who won the outstanding achievement award, made the very good point that this country needs to get back to building real and sustainable businesses. Over the past ten years, there has been a fixation with trading rather than the actual building of real businesses. It is something we should bear in mind, particularly from the point of view of competitiveness. We need to encourage our graduates to create wealth by starting businesses in areas like renewable energy and business services. The information technology sector requires significant reinvestment. While many small and medium-sized enterprises are involved in information technology, they choke when it comes to developing into larger businesses that can compete across the water.

I hope the Government can address this real issue when it announces its recovery plan today or tomorrow. If it does not allow small businesses in the areas I have mentioned to develop and create wealth, our economic competitiveness will be in serious trouble. As I said on numerous occasions, this country's broadband capacity needs to be increased to a ridiculous degree. If the Minister for Communications, Energy and Natural Resources does not get real on this issue, our competitiveness and our chances of creating jobs and wealth will be in serious trouble.

I agree with the comments of Senators about the democratic deficit in the HSE. I have called for the publication of the teamwork reports, particularly those dealing with the mid-west and the south, on at least four occasions. The reports in question, which deal with real issues in intensive care units, accident and emergency departments and acute beds, have been leaked

[Senator Alan Kelly.]

left, right and centre, but they have not been published even though they were signed off last December.

It appears that the HSE will cut services in a number of regional hospitals and reorientate them towards centres in Limerick, Cork etc., which will have a real impact on rural areas and on towns such as Ennis, Nenagh, Bantry, Mallow and Tralee. These cuts have not been debated. The HSE is putting implementation teams into these areas without having a debate. It is not publicising the reports, yet it is implementing the recommendations. In any democracy that would be an absolute disgrace.

**Senator Phil Prendergast:** Hear, hear.

**Senator Alan Kelly:** They must be published. The HSE must explain why reports that have been finalised since this time last year — almost on this date last year — have not been published in the intervening year.

A survey of migrant workers, published by the Migrant Rights Centre of Ireland, found that 53% of migrants working in restaurants are being paid less than the minimum wage. Collectively we should say that is a disgrace. It also tallied with the findings of the National Employment Rights Authority, which has shown that 76% of restaurants and other catering organisations are not adhering to all employment rights. A year ago I said that we should name and shame those institutions, which should not be getting away with this. I cannot understand why the authorities are not prosecuting more of those organisations.

**Senator Jerry Buttimer:** The 90th anniversary of the sitting of the First Dáil is an important occasion that we should embrace. I ask the Leader that Seanad Éireann highlight the event and emphasise the importance of the civic, social and political life of the country to the wider population through the schools and, more important, through community life. It is an occasion of celebration and renewal. I ask the Leader to invite the Taoiseach to the House. It is the patriotic duty of Government to lead, but the Government is not leading. I ask the Members opposite who come in here every day what is their Government saying to the 14,000 people who are three months from losing their mortgage. What do the Members opposite say to the thousands of people who have become unemployed since their parties came into Government? What do they say to the people who today are——

**Senator Kieran Phelan:** Speech.

**An Cathaoirleach:** The Senator should ask questions of the Leader.

**Senator Jerry Buttimer:** I am asking the question. What do they say to the people who today are living in poverty, which was created by their Government? People come in here every day and talk about national government. Where was the call for national government when it was spending with largesse for the past 11 years and squandering billions of taxpayers' money? Where was the call for unity then?

**An Cathaoirleach:** The point is made.

**Senator Jerry Buttimer:** There was none. I ask the Leader to bring in the Taoiseach who has been missing. He should also bring in the other two fugitives, the Minister for Education and Science, Deputy Batt O'Keeffe, and the Tánaiste, Deputy Coughlan. They have been missing. They have not come into the House. Children are in crisis in schools and unemployed people are looking for leadership. The Ministers are missing from the House and they should come in.



**Senator Shane Ross:** The previous speaker raised a good point. I would like the Leader to answer a question I asked yesterday, to which I got no answer. There have been some great contributions here today. Senators Donohoe, Hannigan and others said that we should get relevant and talk about last night's interest rate drop in America. Those contributions will be ignored. We will not be granted a debate on that matter. The point I made yesterday was that much of what happens in the Seanad is regarded by the Government as people letting off hot air and then we are ignored. The point was also addressed by Senators O'Toole and Fitzgerald. It is fine for the Government to talk to the social partners and it is appropriate that it should do so, but where is the centre of power? Who is sovereign in this State? Who pulls the strings?

What was said in the Seanad today was very valuable, but it will be totally and utterly ignored. What was said on the Order of Business will be very beneficial for those people who said it, they will have got some satisfaction out of it, they will have raised the issue, but that will be the end of it, whereas outside this House much is going on which is dictating the pace of affairs in the State. We have a really big problem. We should address with courage the issue of the social partners and other people, to whom Senator Norris also referred, who pull the strings in this State, because it is not us. Whereas it is very useful and satisfying for us to come in and raise these issues, they go no further than 11.30 on a Wednesday morning. That is the end of them.

**Senator Terry Leyden:** Not really.

**Senator Shane Ross:** The social partners are deeply embedded in the institutions of the State. It is not just a matter of them meeting the Taoiseach and telling him what to do, which they do anyway. Let me quote the example that has come up recently. Who is on the board of FÁS? There are four members of social partnership from the one side and four members on the other side, indulged, allowed, ignorant, powerful and paid. They are not answerable or accountable and they are still on the board of FÁS in powerful positions where this House had virtually no input — the Government had some. They are still sitting there and are still unaccountable. That issue needs to be addressed because these social partners, these outsiders, do not just sit on the board of FÁS, they have control over a large number of semi-State agencies into which we as a body have no input whatsoever. It is time for the Leader to address the issue of whether there is any point in people standing up here and talking learnedly, knowledgeably and with authority, as happened today on the interest rate, if we are not going to be listened to by the Government.

**Senator Donie Cassidy:** Senators Fitzgerald, O'Toole, Prendergast, Leyden, Coghlan, Donohoe, Callely, Hannigan, John Paul Phelan, Bacik, Kelly and Ross expressed their strong views and concerns regarding the challenges facing the economy. There were very many views on banking. I remind the House that we had an all-day debate on the economy on Friday, 6 December. It was a stimulating debate with the Minister for Finance present for most of it and the Minister of State, Deputy Mansergh, here for the remainder of it. It was one of the best debates in this House in this session. It is unfair and untrue for Senators to say I am not keeping to my word in keeping the economy centre stage by debating it in the House. We had the Social Welfare (Miscellaneous Provisions) Bill here all day yesterday, which is the second most important Bill in the year. On Friday, all day, all evening and all night we will have the Finance Bill——

**Senator John Paul Phelan:** All night.

**Senator Donie Cassidy:** ——and maybe into Saturday morning. For Senators to state that we are not placing the economy centre stage and that Members of this House are not being



[Senator Donie Cassidy.]

given an opportunity to express their views on the up-to-date challenge, which is unprecedented and global, is unfair and untrue.

Regarding the social partners, Senator Ross, who is a very eminent Member of the House, gives the side we read in the *Sunday Independent*, which is a must read. However, for me the social partners are the captains of industry and the engine of the economy. They include the farming community, which still plays a central role in the economy. We all saw the difficulties that community faced in the past ten days and how important it is to our economy in terms of exports. We have the employers, IBEC the trade unions and the Government. Central to Ireland's success in the past 20 years has been the role the social partners have played, as Senator O'Toole correctly said. He was also a very important pioneering member of social partnership.

**Senator Shane Ross:** Senator Cassidy's friends in Ryanair are not even in IBEC.

**An Cathaoirleach:** The Leader, without interruption, on the Order of Business.

**Senator Donie Cassidy:** On that point, and it is a good point, Ryanair has done more for tourism in Ireland than anyone else in the world could have done.

**Senator Shane Ross:** And it is not in the social partnership.

**Senator Donie Cassidy:** It is a leader not only in our country but also in Europe, and is one of the best airlines in the world. We are fortunate to have it here. I remember, in the 1970s, paying more than €200 for a return ticket to London. Were it not for Ryanair we would still be paying expensive air fares. Aer Lingus is also a wonderful airline.

**Senator David Norris:** Hear, hear.

**Senator Donie Cassidy:** The chief executive of Aer Lingus must be admired for the wonderful job he has done since he took over.

**Senator David Norris:** Exactly.

**Senator Donie Cassidy:** We are fortunate to have two good airlines.

**Senator John Paul Phelan:** What has that got to do with the Order of Business?

**Senator Donie Cassidy:** To return to the issue of the social partners, inaccuracies must be corrected, and I consider it my duty to give balance to the debate that takes place on the Order of Business. This side of the House plays a very responsible role by listening to the Opposition.

**Senator John Paul Phelan:** Those Members criticise the Government more than we do.

**Senator Donie Cassidy:** It is on my shoulders to provide balance and give credit where credit is due. Going back to 1987, we would not have had the Celtic tiger parts 1 and 2 were it not for the national understanding by the then Taoiseach, Charles Haughey, and Mr. Mullen of the trade union movement. That was before many of today's Members joined the House. From 1981 to 1987, it was a difficult time to be a Member of this House.

**Senator Terry Leyden:** True.

**Senator Donie Cassidy:** We experienced it all before. However, the difference this time is twofold. Interest rates are at such a low level that the minute the economy starts to take a

turn, it will be encouraging and inviting from the investor's point of view. In 1987, there were 1.1 million people working and paying taxes. Now 2 million people are working.

**Senator John Paul Phelan:** Not for much longer.

**Senator Donie Cassidy:** We have a fantastic, well educated, enthusiastic and energetic generation of young people who are prepared to make their contribution. We must stay positive. We are approaching the bottom of the downward cycle — there may be another three months of downturn.

**Senator John Paul Phelan:** The Senator is deluded. He is absolutely wrong.

**Senator David Norris:** That is splendid news.

**Senator Donie Cassidy:** There is a new Presidency in America, and if America is not having it good, the rest of the world does not have it good. There is no point in looking into the glass and saying it is half empty. It is also half full.

**Senator John Paul Phelan:** It is completely empty.

**Senator Donie Cassidy:** Let us take heart coming up to Christmas. Let us celebrate our achievements.

**Senator John Paul Phelan:** In fact, there are several empty bottles.

**Senator Donie Cassidy:** Let us celebrate our achievements: what we have done and how we protected the less well-off in 2001 and 2002. I know that is the priority of the Taoiseach at present. Next Friday, I look forward to hearing the contributions on the Finance Bill of all Senators who make very valid points on the Order of Business every morning regarding the economy. I will liaise with the leaders——

**Senator John Paul Phelan:** Will there be time limits?

**Senator Donie Cassidy:** I will liaise with the leaders after the Order of Business this morning in an effort to facilitate the provision of a little extra time for Senators to make their contributions on the economy as well as matters pertaining to Second Stage of the Finance Bill——

**Senator John Paul Phelan:** Will there be half-hour slots?

**Senator Donie Cassidy:** ——if that is agreeable to the House.

Senators Leyden, Donohoe, Callely, Kelly and Ross highlighted their concerns about the development plan and what may be in it, and mentioned reshaping of the challenge the Government is faced with. I agree with Senator Kelly that the IT sector has an important role to play. However, I disagree with the sentiments expressed about broadband. There has been an increase of 6.7% in broadband provision in Ireland and I welcome that.

**Senator John Paul Phelan:** That is pathetic.

**Senator Donie Cassidy:** The number of broadband subscribers now stands at 1.12 million, or 1,125,080.

**Senator David Norris:** What is the population?

**Senator Donie Cassidy:** These are figures that have been given to me by ComReg, which show that broadband provision in Ireland continues to grow. At the end of September, as I said, 1.125 million subscribers had been provided with broadband.

**Senator Dominic Hannigan:** What about rural areas?

**Senator John Paul Phelan:** That is Dublin, basically.

**Senator Donie Cassidy:** Considering that in 2003 we only had 6,000 broadband subscribers, that represents remarkable progress over this timeframe.

**Senator Terry Leyden:** Hear, hear.

**Senator Donie Cassidy:** A total of 59% of households now have broadband and that figure should be seen in the context of the 70% of Irish households that have personal computers. We are moving very rapidly——

**Senator John Paul Phelan:** We are moving very slowly.

**Senator Donie Cassidy:** ——perhaps not as far as we would like, but certainly in a positive direction.

Senator Leyden mentioned a debate on housing and referred to the sale of the century which took place in the 1980s. Those of us who were Members of the House remember it well.

**Senator Terry Leyden:** That is right.

**Senator Donie Cassidy:** It generated a lot of capital and it also gave responsibility for maintenance to house owners and removed it from local authorities. There were other cost saving exercises that resulted in a win-win situation. I will allow time for discussion of the Senator's proposals early in the new year.

Senator Callely welcomed the opening of the large new O2 arena last night. A total of 27 major concert events will take place there between now and the end of May. It is a major boost to the economy of the city of Dublin and is uplifting for people in general. All these events are very important for young people and for those middle-aged people——

**Senator Nicky McFadden:** Like the Senator.

**Senator Donie Cassidy:** ——who go to these concerts and are uplifted. It is a major ambassador for our country and I congratulate everyone concerned.

Senator Hannigan spoke about hotel prices. I am pleased to inform the Senator that not for the last five years have hotel prices been at such a low level.

**Senator John Paul Phelan:** The point is about currency differences.

**Senator Donie Cassidy:** I have obtained these prices from the Irish Hotels Federation. I must confess I have a vested interest. However, we have increased room occupancy by about 170%.

**Senator John Paul Phelan:** He has missed the point completely.

**Senator Donie Cassidy:** This is a great credit to the success of the capital allowance programme, because we now have possibly the finest hotels in Europe, with the greatest services compared with previous years. The tourist business used to be an industry that operated for five, six or seven months of the year, but now it is a year-round industry, with conferences,

concerts, the attractions of golf, fishing and walking, and all the other wonderful attractions, with the fantastic facilities that Irish hoteliers are now supplying. To put to rest the——

**Senator Dominic Hannigan:** On a point of order, the point was not about the price of hotels but the relative prices as a result of currency fluctuations.

**Senator Donie Cassidy:** Yes. I can tell the Senator at first hand that the article is not true, and I challenge it.

**Senator John Paul Phelan:** It is true. The Leader cannot argue with the actual exchange rate.

**Senator Dominic Hannigan:** It is about the exchange rate. That is the issue. It is not about hotel prices.

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

**Senator Dominic Hannigan:** It is about the exchange rate and the impact that will have on tourism.

**An Cathaoirleach:** Please, Members. There is to be no interruption to the Order of Business.

**Senator John Paul Phelan:** The Senator is talking rot.

**Senator Donie Cassidy:** Senator Keaveney spoke about party pills. The party pill Bill will be introduced in the next session. In addition, with regard to the debate on alcohol, I encourage young people and those partaking of alcohol over the Christmas season to respect it for the drug that it is. I would like to see everyone enjoying themselves and having a good time, but we should respect alcohol as it is a drug. With regard to the points made by Senators Norris and Bacik, I apologise to Senator Norris as I understood he had been contacted, but I will correct that after the Order of Business. I gave him my word in that regard.

Senator Norris had some other queries about the Equality Authority. There were 43 employees in the Equality Authority and that number has been reduced by five, or 11%, to 38. A good service will still be given by the excellent——

**Senator David Norris:** I ask the Leader to reply to the questions I asked and not questions I did not ask.

**An Cathaoirleach:** The Leader said he would get back to the Senator later.

**Senator David Norris:** That is a very dishonest proceeding and does not do the House justice.

**An Cathaoirleach:** Senator Norris, allow the Leader to reply on the Order of Business.

**Senator Donie Cassidy:** I am responding to Senator Norris and Senator Bacik at once. I ask Senator Norris to be patient because Senator Bacik is also a treasured Member of the Independent benches.

**Senator David Norris:** Very treasured, but her question came after mine.

**Senator Donie Cassidy:** With regard to the other points raised by Senator Norris, I will get back to the Senator directly this afternoon when I find out what is the position.

Senators Ó Murchú, John Paul Phelan and Buttimer made very valid proposals for celebrating the 90th anniversary of the First Dáil. Senator Ó Murchú suggested that schools, employers and community activists should all become involved in the celebrations of this wonderful 90

[Senator Donie Cassidy.]

years which will be taking place on 20 and 21 January 2009. I look forward to everyone participating in this event such as the national broadcaster. I hope we will have an opportunity to have a debate in the House on its return after the Christmas recess on the subject of the transformation in our country in the 90 years. Senator Ó Murchú also referred to the lighting of the candle and the uplifting of the spirits of our people. I will pass on the Senator's views to the Minister after the Order of Business.

Senator John Paul Phelan asked for a debate on education. I have given my word that we will have such a debate. This week is completely taken up with legislation but the Minister has agreed to come to the House at the earliest possible opportunity when his diary permits. This will be in the first or second week after the Christmas recess. This morning Senator John Paul Phelan and I attended the Joint Committee on Enterprise and Small Business which was meeting the farming community. We will have to inquire into the statement made by Mr. Pádraig Walshe, the president of the farming organisation about the local inspectorate for local authorities which has been appointed and which is duplicating the work of the inspectorate of the Department of Agriculture, Fisheries and Food. This is an area where savings could be made in these hard-pressed times and I will make inquiries on the matter.

Order of Business agreed to.

### **Commemoration of 90th Anniversary of First Sitting of Dáil Éireann: Motion.**

**Senator Donie Cassidy:** I move:

That, to facilitate the Commemoration of the Ninetieth Anniversary of the First Sitting of Dáil Éireann, it is proposed that:

On Tuesday, 20 January 2009, Seanad Éireann shall be enjoined with Dáil Éireann to constitute a joint sitting of both Houses of the Oireachtas and the following arrangements shall apply:

(1) the joint sitting shall commence at 11 a.m. in the Round Room of the Mansion House; and

(2) the Ceann Comhairle shall be Chairman of the joint sitting and he shall adjourn the joint sitting at 12.10 p.m. and the proceedings shall be as follows:

(i) 11.02 a.m. — Address by Ceann Comhairle;

(ii) 11.07 a.m. — Address by Taoiseach, followed by leaders-representatives of the various political parties; and

(iii) concluding address by Cathaoirleach not later than noon.

Question put and agreed to.

### **Motor Vehicle (Duties and Licences) (No. 2) Bill 2008: Second Stage.**

Question proposed: "That the Bill be now read a Second Time."

**Minister for the Environment, Heritage and Local Government (Deputy John Gormley):** The primary purpose of this Bill is to give legislative effect to the increases in motor tax rates and trade plate licences contained in the financial resolution on motor tax passed by Dáil Éireann on budget day, 14 October 2008. The Bill provides for the same increases in motor

tax as contained in the financial resolution, namely, an increase of 4% for cars below 2.5 litres, and CO<sub>2</sub> bands A to D, and an increase of 5% for cars above the 2.5 litre threshold and CO<sub>2</sub> bands E, F and G. Rates on goods and other vehicles and trade plates also increase by 4% with no increase for electric vehicles. The new rates will apply to motor tax discs and trade licences taken out for periods beginning on or after 1 January 2009. It should be noted that the increases in motor tax rates since the year 2000, including the current increases, are below the inflation rate over the relevant eight-year period.

The Bill also contains a minor technical change by relating the definition of “CO<sub>2</sub> emissions” directly to the definition in the Finance Acts where it is used for the purposes of the vehicle registration tax system. The amendment in this Bill means that all the relevant definitions common to both motor tax and VRT derive from one source and ensures uniformity in both tax systems.

The Bill as initiated was also amended on Committee Stage in the Dáil to provide equality between 2008 cars registered in this country and those first registered abroad in the first six months of 2008. The last paragraph, 6(g), of the Schedule to the Bill, contains the amendment. This Bill does not introduce novel arrangements for the taxation of cars. We are less than six months into the operation of the new system of CO<sub>2</sub> based tax for new cars and the Bill which introduced those significant changes was discussed in this House only last March.

It is clear, however, from early data that the system is having a significant impact on purchase decisions in the market. The trend following the first five months of operation is that just under half of the cars in the new system are in the second lowest B band category, with 29% in C band. The three lowest bands A to C contain 85% of the CO<sub>2</sub> car fleet. The industry itself has stated that the new system is working well from an environmental viewpoint, with indications of an average reduction of 20g in CO<sub>2</sub> emissions per km per vehicle since the system came into effect. The CO<sub>2</sub> car fleet now contains 48,019 cars. This corresponds to 2.48% of the entire car fleet and this will continue to grow as new cars replace older cars in the fleet. It is also clear that the new taxation system is bringing a focus to environmental performance of vehicles like never before. The industry has transformed the way it advertises new cars with particular emphasis now being placed on the emissions levels of cars.

Versions of CO<sub>2</sub> based motor taxation systems have now been introduced in 14 EU member states. These policies are having a profound effect on how the car industry responds to the challenge of climate change right across Europe. This will be further reinforced by the Commission’s proposals to set limits on emissions, which Ireland strongly supports.

The way in which we consider our relationship with cars is just one of many issues to be addressed if we are serious about our climate change obligations. This debate is an opportune time to reflect on those issues in light of the agreement on the EU climate package which was agreed by the Heads of Government last week. As part of this deal, 27 countries have taken on unilaterally new legally binding post-Kyoto greenhouse gas emissions targets. As I said last week when I addressed the UN conference on climate change in Poznan in Poland, the EU leaders’ agreement must be seen as a first step towards a new global climate agreement. Europe has said it will reduce unilaterally its emissions by 20% compared with 1990. We have set out in detail how this will be achieved but now we must go further. Europe is ready to step up to a 30% reduction as part of a global climate agreement. While Ireland had supported the Presidency and the Commission in pushing for a package that was stronger than that finally agreed last week, I hope this move by Europe will encourage other major countries to propose their own post-Kyoto reduction targets and other new commitments.

A new US Administration under a President who promises to lead the way on climate change offers great hope that agreement on an ambitious target can be achieved next year. The EU



[Deputy John Gormley.]

package agreed last week still represents an enormous challenge for Ireland. We must now press on with the serious task of transforming ourselves into a low carbon society and economy.

One further car related initiative which I would like to mention is the decision by Government to establish an interdepartmental and agency group to look at deployment of electric vehicles, which group will be overseen by my colleague, the Minister for Communications, Energy and Natural Resources. It will examine the best way forward to promote the use of electric vehicles in Ireland. A target has been set of 10% of all vehicles in the transport fleet to be powered by electricity by 2020. This will represent up to 250,000 cars on Irish roads over the next 12 years. Tax incentives have been introduced for businesses to purchase electric vehicles by allowing them to write off 100% of the cost of purchase against tax under the accelerated capital allowance scheme.

Sustainable Energy Ireland will also be funding a €1 million project to research, develop and demonstrate on a national basis alternative transport technologies, including electric vehicles. Sustainable Energy Ireland has published a buyers' guide and a cost of ownership calculator to aid individuals interested in purchasing electric vehicles. I have not increased the charge for electric cars in the Bill, maintaining the position I adopted last year.

The move to change the car fleet to a more sustainable basis poses challenges for protecting local government funding. The introduction of emissions-based vehicle registration tax and motor tax had a dual objective of encouraging a move to lower emissions vehicles while protecting central and local government revenues. It is my intention to keep these dual objectives under review, in conjunction with the motor industry, in the light of experience of the new system.

The sole purpose of the Bill's changes in motor tax rates is to increase funding for local government. It is important to note the proceeds of motor tax are not paid to the Exchequer but directly to the local government fund for local government purposes. The motor tax element of the fund is also supplemented annually by an Exchequer contribution. The fund is used primarily to finance regional and local roads and the general purpose needs of local authorities. It is anticipated the proposed increases in motor tax rates will raise approximately €40 million extra for the fund next year.

Senators will be aware of the significant role the local government fund plays in financing local government. Local authorities will spend €11.7 billion in 2009 on capital and current expenditure. Some €1.6 billion will be available for allocation via the local government fund for general purpose grants, allocated by my Department, and for regional and local roads, allocated by the Department of Transport. More than €935 million in general purpose grants will be provided to local authorities from the local government fund in 2009. These grants comprise one fifth of the funding required by authorities to provide their day-to-day services. A sum of €564.5 million has also been allocated to the Department of Transport from the local government fund for 2009 for regional and local roads.

An additional sum of approximately €80 million will be allocated for specific local government purposes, including the operation of water services and the administration of group water schemes and the vehicle registration unit. It is a matter for each local authority to prioritise its spending across the range of services it provides and within the resources available to it. Equally, local authorities must ensure full value for money for the resources invested and seek the maximum efficiency across their operation. I am satisfied the general purpose allocations I have provided for 2009, together with the income available from other sources, will enable local authorities to provide an acceptable level of service to their customers.

While I appreciate there will be calls for additional funding for local authorities, the problem is we are caught up in a severe global economic recession which requires all sectors to respond to new realities. That includes having less money to meet public expenditure demands. We cannot borrow our way out of trouble or return to the days of punitive tax rates that stifled economic growth and resulted in high unemployment.

Local government must also play its part in the difficult period ahead. With hard work and determination, we will get through these difficult times to a path to economic recovery and renewal. In this regard, I have urged local authorities to continue to exercise restraint in setting increases in commercial rates and local charges. It is important every opportunity should be given to the business sector to remain competitive in these tough economic times as a sound business sector is vital for the communities that depend on them.

One of my key objectives in office is to see local government play a much stronger and more visible role in the life of the local community. I am finalising a White Paper on local government which will contain significant institutional reforms. Changes to the way local government operates must be accompanied by measures which provide a greater link between local revenue raising and local expenditure. This is key to introducing greater local responsibility and accountability in decision making.

The Government has made a start in this regard in the budget decision to broaden the revenue base of local authorities through the introduction of a charge on non-principal private residences. This will be used to support the provision of local services. I intend to bring forward legislation to implement the proposed charge as soon as possible and to set out the detailed measures necessary to give effect to it.

The Bill consists of six sections with the new tax rates for all vehicles are set out in the Schedule. Private cars and goods vehicles make up more than 91% of the national fleet. For private cars, taxed on the basis of engine size, the extra cost for most motorists will be between €7 and €13 a year, that is between 13 cent and 25 cent a week. This relates to more than 50% of the national car fleet which is made up of cars under 1400 cc. For the remainder of the car fleet, up to 2 litres, the annual increases will be from €14 to €24 and from 2 litres upwards an additional €30 to €75 per year. The extra costs for 94% of the car fleet — those under 2 litres — will be between 13 cent and 46 cent a week. For private cars on the new CO<sub>2</sub> based system, bands A to D will see an annual increase of between €4 and €17, while for bands E, F and G, the annual increases range from €30 to €100.

For goods vehicles the effect of the 4% increase will vary depending on the weight of the vehicle. However, 87% of goods vehicles are at the lowest level of charge, meaning they will pay an annual increase of €11, or 21 cent per week. A 4% increase is also proposed for trade licences, or trade plates, used by motor traders on vehicles temporarily in their possession, in lieu of taxing such vehicles. The increase for a pair of trade plates will be €12.

This is a short Bill of only six sections. Its purpose is to give permanent legal standing to the increases in motor tax introduced by a financial resolution passed by Dáil Éireann on 14 October 2008. I commend the Bill to the House.

**Senator Paudie Coffey:** I welcome the Minister and his officials to the House and thank him for his informative contribution. This Bill is essentially about raising motor taxes. It is a revenue raising exercise in which the motor tax receipts go to the local government fund. The Minister claims to be raising revenue for local authorities. However, while he gives to one hand, his colleague, the Minister for Finance, takes from the other because the local government fund has been cut from between 5% to 7% across all local authorities. Unfortunately, the motorist again is the fall guy.

[Senator Paudie Coffey.]

The Bill provides an opportunity to compare transport choices as well as debate other issues such as motor vehicle choice, road safety and public transport. It is widely acknowledged that transport is responsible for a large percentage of Ireland's greenhouse gas emissions. This raises questions about how emissions can be reduced and the Government's role and responsibilities in this regard. While I agree we must incentivise the purchase and maintenance of lower carbon emitting and more fuel efficient cars, the great irony is that we are not reducing our overall transport carbon emissions. There is increased dependency on car usage. Public transport needs urgent focus and attention, not the lip service we regularly hear from the Government's spokespeople.

Despite numerous assurances over many years, there is still no adequate bus competition in public transport. There is also much room for improvement in the promotion of usage by the public of our train services. I travel regularly by train from Waterford to Dublin. Normally, a train ride should be enjoyable, relaxing and an energy efficient mode of transport. However, I regularly see people standing on the Waterford-Dublin service from Kilkenny onwards. Not even hot teas or coffees are available. In short, it is a sub-standard service and not an adequate incentivised public transport system. We must incentivise rail travel. We must improve customer experience so people are encouraged to use trains more. Passenger comfort and services are a main factor in this.

Another factor is the frequency of rail services and the travel times. Travelling by train from Waterford to Dublin takes two and three quarter hours from Plunkett Station in Waterford to Heuston Station, Dublin. With transfers from home and from Heuston Station to Leinster House it can take a total of up to four hours and a half hours. The other day I was waiting nearly 35 minutes for a public bus connection from Heuston Station to Kildare Street. It is advertised that the bus comes every 20 minutes. That is not a good enough public transport service. That is why people are not using our public transport systems and there is greater dependence on cars. If I choose to drive, it takes me three hours, or a maximum of three and a quarter hours from my house to Leinster House. That includes idling in traffic so there is no incentive to use the train, although I try to use it as much as possible. How many thousands of people are like me?

Regarding roads and roads investment, the Minister, through this Bill, is essentially collecting increased motor taxes and handing them to the Minister for Transport who then allocates them to the various local authorities. There are many issues in the areas of road safety, road conditions and road maintenance that should be fully audited prior to the allocation of grants. The Department of the Environment, Heritage and Local Government or the Department of Transport needs to carry out a full audit of all local and regional roads in terms of the number of hazards and traffic accidents on the roads. There should be a full electronic database of all junctions, bends, and maintenance and re-surfacing programmes, down as far as even the inlets and drains on the sides of the roads. A database should be held by all local authorities for keeping a regular systematic programme of maintenance, and this should be accompanied by digital mapping systems for obvious accident blackspots and signage. This should be recorded and readily available to the public on databases. This system would introduce a more accountable, responsible system of road maintenance programmes that are funded through the allocation of the roads grants to which the Minister referred.

There is a very dangerous junction called the Tinhalla Junction on a regional road in my area, the R680 between Carrick-on-Suir and Waterford city. It is a totally blind spot for those entering the main regional road. Despite numerous petitions from the public and notices of motion from councillors, the local authority claims it does not have the funding to improve this junction. The council has applied to the Department and has been refused funds. Perhaps the

Minister and his officials may take up that issue because it is a very dangerous junction on a regional road that needs to be addressed. Funding has been sought but is not forthcoming.

A full audit and database of roads in our country should be an obligation of local authorities. This should be encouraged by the Government. The system is just too *ad hoc* at the moment. It is important to let motorists know the benefits of investment in the roads, especially when we are raising taxes. Then we can justify raising car taxes but not until then.

I note from recent reports that for the four-month period of July to October 2008, 80% of car sales were for the lower emission cars. In the same period last year, just 40% of car sales were for the lower emission cars, so the trend is very positive, as the Minister outlined. I acknowledge that and it is clear now that consumers are choosing more efficient cars. However, it is quite obvious from looking at forecourts throughout the country that cars are not selling in the current climate. Many people are tied into the old system of taxation.

I believe in electric vehicles and they should be promoted at every opportunity. There is major potential for the Government to incentivise the use of vehicles propelled by electricity. At last week's Oireachtas joint committee meeting, the ESB expressed a great interest in investing in infrastructure to facilitate the expansion in the use of electric vehicles. The Government has a role in this by providing incentives and resources, such as charging docks along national primary routes. There should be a programme for the roll-out of these systems to facilitate the recharging of electric vehicles when they come into use. This is an area that should be expanded upon. There is no vehicle registration tax on electric vehicles and tax breaks for business are available, but the Minister should clarify whether individuals can purchase an electric vehicle and claim a tax break. If not, why not? We should incentivise the area.

I refer to old abandoned vehicles, a problem I have raised on previous occasions. There is very little incentive in Ireland to dispose properly of the older, retired vehicles. We hear every day of too many incidents of abandoned vehicles left in fields and woods. We also hear of youths being sold these vehicles for as little as €50. They go rallying in very dangerous circumstances, with the registration plates and chassis numbers removed. This is a major problem and creates a burden on local authorities, fire services, the Garda Síochána and State agencies such as Coillte. It costs quite a lot every year. I recommend that the Department commission a report to investigate the cost of abandoned vehicles to the State. It would be worthwhile to create incentives for facilities that allow people, the car industry and local authorities to dispose properly of these vehicles. I ask the Minister to consider that.

Fine Gael opposes raising car taxes for the sake of revenue raising. The Minister outlined that we are trying to reduce carbon emissions. With a very poor transport sector, we are losing the battle in that sector. It is not good enough to raise car taxes without identifying other transport areas. The Minister will make some attempt in this regard.

The Government must tackle the local government funding system in a more transparent and equitable way. I look forward to the White Paper and the Minister's proposals for local government funding. We must have this national debate to which local authorities, councillors, citizens and Oireachtas Members are looking forward.

Why are motorists the soft target for increases to facilitate the local government fund? This policy discriminates against those dependent on cars, such as those living in rural areas, towns and villages, and regional citizens who are at a disadvantage compared with those in large urban centres. Urban centres have public transport systems, albeit limited, but the car is essential, not a luxury, in rural areas to get to school and to work. I ask the Minister to consider that. I look forward to contributions from other Senators.

**Senator Camillus Glynn:** Cuirim fáilte roimh an Aire go dtí an Teach. This Bill, although small, is very important. It is another element in the process of encouraging innovation in the use of motor vehicles. We are increasingly aware of the link between car usage and its effect on our environment. With this in mind, the launch of the new vehicle labelling system in June of this year was a welcome development. Changes to vehicle registration tax and annual motor tax for new cars registered on or after 1 July 2008 will see an improvement in the situation regarding emissions from vehicles.

Calculating on the basis of carbon dioxide, CO<sub>2</sub>, emissions from vehicles rather than engine size focuses on the effect on our environment of emissions from the cars we drive. Innovation is crucial if we are to deal with the issue of cars and our environment. Seven emission tax bands have been created and VRT and motor tax payable will now be determined by the relevant band for each vehicle.

It is reasonable to assume that, when speaking of the environment, the Kyoto Protocol and all that pertains thereto, we have been criticised as a country for not taking action to reduce carbon emissions. Positive thinking generates a positive response, and this is a positive response. There is an old saying that the most important step in a million mile journey is the first step, and this is that important first step. The purpose of these changes is to incentivise consumers to purchase vehicles with lower CO<sub>2</sub> emissions, an important step in reducing national greenhouse gas emissions and in meeting Ireland's commitments for the purposes of the Kyoto Protocol. The clear objective of the new CO<sub>2</sub> based tax structure for cars is to influence the purchasing decisions of consumers by rewarding the buyers of low-emitting cars and charging a premium on less efficient vehicles. It makes sense and will have long-term, positive effects for generations to come. Anyone buying a new car can now make a positive choice on investment and environmental grounds by purchasing a low CO<sub>2</sub> emitting vehicle. This decision is within the remit of any individual.

Senator Coffey referred to transport difficulties and while it is not pertinent to the Bill I will respond to some of the comments he made. To keep it parochial, with regard to improving arterial routes everybody agrees and appreciates that if traffic moves freely rather than labouring on a long linear car park, which we all have experienced from time to time, this of itself will reduce carbon emissions.

During recent months, the N6 opened between Kilbeggan and Athlone. In the past week, approval was given to Westmeath County Council to go to tender for construction of a new bridge less than half a kilometre from where I live, which will allow Mullingar to be completely bypassed. With the M4 bypass will be the eastern bypass which will link the M4 to the N52 going across from the Kilbeggan road. This is a positive step with regard to keeping traffic moving and thereby reducing emissions.

A couple of years ago, I invited the then Minister for Transport, Deputy Dick Roche, to be our guest speaker at the annual Fianna Fáil business breakfast in Mullingar. He came and afforded a new status and priority to this stretch of road and this has been the engine which drove this project forward to getting the thumbs up for completion. This is the final stage of the project and it will contribute to reducing CO<sub>2</sub> emissions.

Anyone who chooses to purchase a car with high CO<sub>2</sub> emissions will have to pay a higher rate of motor tax, in addition to any price rise as a result of the VRT changes. It is a polluter pays policy and everybody agrees with this. In 1999 a EU directive introduced labelling for all new vehicles, including specific requirements to provide consumers with information on fuel economy and CO<sub>2</sub> emissions. Our new system, introduced in July, will strengthen these existing EU requirements.



To return to Senator Coffey's point on transport costs, I drive a diesel car and it is not long since diesel was almost €1.50 per litre. During recent days, I saw diesel for sale in Mullingar for €0.959 per litre. This is a major change and it is welcome.

With regard to reducing the strength of cars, it has been proven conclusively that higher powered cars produce more CO<sub>2</sub> emissions. The Minister has correctly taken the appropriate step. In this country, everybody will state that something needs to be done and criticise one. However, when one does something one is also criticised. So I say "do it" and be whatever to the critics because if it is the right thing to do it should be done. We have to tackle the manner in which CO<sub>2</sub> emissions are being released into our environment at alarming levels.

With regard to the local government fund, I am a strong supporter of local government. It is an important element of how we are and how we live. The Minister is committed and, as Government spokesperson on the environment, heritage and local government, I am also committed to ensuring that in the lifetime of the Government positive proposals will be brought forward in terms of the White Paper and legislation. We must take on the job of improving local government.

Recently, the Government outlined its plans for 10% of the national road transport fleet to be powered by electricity by the year 2020. Our size suits electric vehicles and the country can become an effective test centre for the world's car manufacturers. A total of 200,000 electric vehicles could be on our roads in 12 years and that would be a ground-breaking development.

The Minister is doing everything he can to ensure that people use cars which have the minimum effect on the environment. The electric vehicles plan includes tax incentives for businesses to purchase electric vehicles. Businesses can write off 100% of the cost of purchase against tax under the accelerated capital allowance scheme. It also includes a €1 million project by Sustainable Energy Ireland to research, develop and demonstrate vehicles nationally. Assistance for individuals purchasing electric vehicles is also included as is publication of a buyer's guide and a cost of ownership calculator by Sustainable Energy Ireland. A national task force will be established to examine infrastructural options for national roll-out of electric vehicles, including street charging.

We are signalling our intention that we are serious about dealing with the issue of car emissions. The Minister stated that he expects considerable international investment to flow from this plan. We should all be aware that in 2008 we will have sent more than €6 billion out of the country to pay for fossil fuels. The electric car scheme would bring money back into the Irish economy and fuel our transport fleet with Irish renewable electricity.

We all need to be increasingly aware of the environment. Anything is welcome that can help us to reduce our fossil fuel bill and meet our climate change challenges. This plan could bring much investment and many jobs to Ireland. It has the potential to make Ireland a centre for electric vehicles. In these changed economic times such a development would be welcome and ground-breaking. As I stated, we must do what we can to reduce our dependence on fossil fuels. We know how fickle this market can be and we all saw the major increase in the price of fossil fuels. In recent months, I have seen people in the transport business going bust. I welcome the Bill and I commend it to the House.

**Senator David Norris:** Senator O'Toole and I will share time.

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

**Senator David Norris:** I will speak for only two minutes. I welcome the Minister to the House, but this is particularly stupid legislation and the Minister knows that perfectly well. As a member of the Green Party, his slogan always was that the polluter pays. The polluter is not



[Senator David Norris.]

paying in this, the vehicle is being taxed. What the Minister should be doing, and he knows it perfectly well but his colleagues in Fianna Fáil would not agree to it, is taxing petrol, as it should be, on the amount used.

One could have a huge car, as I had until Southern Ireland asphalt in alliance with South Dublin County Council destroyed it, but I used it only occasionally. I do not mind paying that. However, the Minister would receive a great deal more money. It would be far more efficient and it would inhibit the consumption of petrol and the emission of fumes if the Minister did what he knows is right and taxed petrol. However, just like in the United States, it is unpopular. Will the Minister reconsider that?

I spoke to the Minister about a sophisticated ignition system. I know he is aware of it but I will send him another copy of it. I spoke with Mr. Halligan who, according to himself, never received a copy of it. Perhaps it got lost in the bureaucracy. I will send a copy directly to him as it should be explored.

Will the Minister examine the situation for taxi drivers in how this Bill affects them with regard to licences or registration? It is a disaster. There is a superfluity of taxi drivers and they have great difficulties. I put these on the record of the House recently and I will send the Minister a copy. A point made to me in a letter I received this morning is that because of the difficult situation taxi drivers find themselves in, they are coming in from the surrounding counties and flooding Dublin. Is there any way of using the tax system to indicate from what county taxi drivers come and try to ensure that in this difficult time they stay more or less in their local area?

Will the Minister re-examine the taxation on vehicles for the disabled? It should be reduced to zilch, zero, nil. Whether via VAT or some other form of taxation, people in this situation should be afforded preferential treatment as compared with those of us who are able bodied.

**Senator Joe O'Toole:** The first point made by Senator Norris was one I intended to make, so I will merely reinforce it. In France, for example, every angler has his own white van. Anglers do not have to pay tax on these vehicles and must pay only for the petrol they use. In other words, while petrol is more expensive in France than it is in this State, the motor industry can flourish in the sense that people can purchase cars without having to pay an associated tax, use them as they need them and pay tax on the basis of the petrol used. I understand an initial payment of VRT of some description is payable to the local authority, which is important.

In regard to electric cars, the reality is that Israel has decided to go 100% electric, with Renault, Peugeot and Citroen manufacturing electric cars for that market. Why are we talking about a target of 10%? Every objection that has been raised in regard to electric cars has been refuted. Instead of aiming for 200,000 cars by 2020, we should aim to go all the way. We have reached a stage where it can be done. Last week, I showed members of the Joint Committee on Climate Change and Energy Security a copy of a new electric car being produced by a company in Silicon Valley in the United States. Based on the chassis of the Lotus Elite or Lotus Elan, it is a smashing looking car, with all the attractive features of roadster-type cars. It can outperform a Porsche 911 from 0 to 60 mph and has a range of 260 miles. It meets all the requirements and overcomes all the objections that have been raised.

We must ensure that all car manufacturers conform to a defined standard for battery charging. We do not want a rerun of the war between VHS and Betamax 25 years ago, or blu-ray and its competitors more recently. It is a question of one simple decision; the manufacturers must get their act together and devise one system for everybody. Recharging an electric car should be the same as refilling a gas cylinder. In the case of a journey from Cork to Dublin, for example, the electric car's range of 260 miles is only marginally less than that of a petrol

or diesel car. Instead of having to stop at some point in the journey and wait six hours to recharge the car, one should be able, in the same way as filling a conventional car with fuel, to drive into the battery exchange which is part of the service station and come out three minutes later with a new set of batteries. That can already be done but people are not aware of it.

The great advantage of electric cars, apart from the obvious one of reduced emissions, is that their use adds to our energy security. Batteries will be recharged in battery banks during the night, at the trough period of demand when electricity is cheapest. We have no electrical storage facility in the State, apart from Turlough Hill. The latter is some 75% efficient in the sense that of the amount of energy required to fill the lake, 75% is given back when it is let flow again. By contrast, the electric cars will be charged at night and will enhance energy supply.

The Minister, Deputy Gormley, should take the initiative on this matter. I knew the late Donagh O'Malley and recall his great way of doing business. He simply made an announcement and let the Civil Service worry about the details of implementing it. I recall saying to the Minister in the week of his appointment that he should do likewise. The problems of implementation should never get in the way of a good decision, policy or principle. We should simply make the decision to go electric and deal with any difficulties as and when they arise. The cars will not be confined to 50 mph or for city use only, as has been suggested. All the features people want can be delivered, in attractive vehicles which others will stop and admire. That is the way forward. As an island, we are in the best position of any European state to get started on this.

I see no drawbacks to such an approach, yet the Minister is reducing the target in terms of electric car numbers. There is no practical reason we should not aim for a take-up rate of 90% or 100%. The Government should provide support for the establishment of battery banks at various locations throughout the State. The number required is not large. All electric cars come with two chargers, one for use at home and one to be kept in the boot for use elsewhere. Most motorists with a diesel car will get eight to ten miles per litre. Given an average cost of €1 per litre, each mile driven in a diesel car costs its owner somewhere between 10 cent and 13 cent. Electric cars will cover the same distance at a cost of 3 or 4 cent per mile, which is some two thirds less.

There is nothing to stop us from taking this initiative. There is nothing futuristic about these vehicles, they are not something out of a Jules Verne book. Israel is already moving in this direction and there is no reason we could not be the first European country to do the same. It merely requires the drive to do it. I can find no argument against it that cannot be rebutted. It is of benefit to the industry, reduces carbon emissions and enhances our energy independence. Every aspect is positive and there are no negative implications. I ask the Minister to up the ante in this regard and make it work.

Senator Coffey referred to the difficulties he has encountered with road transport. I travelled by bus this morning from the edge of Senator Hannigan's constituency, a journey that usually takes one hour and 15 minutes by car. I got on the bus at 8.20 a.m. and walked in the door of Leinster House at 9.15 a.m. When the bus corridors work effectively, as they do on the N2 into the city, people will use them. The Minister for Transport, Deputy Dempsey, made this point at the weekend. People must have confidence that buses will arrive and will run smoothly. In continental Europe, people have no need to consult a timetable. They know a particular train will arrive at X minutes past the hour and that the bus they wish to catch will be there within ten or 15 minutes. If passengers have to check a timetable, the service is not working.

I am picking up on the issues referred to by the Minister in his speech rather than the detail of the Bill. We must examine the possibilities for rail freight as opposed to road freight. However, Iarnród Éireann is reducing its freight capacity. The rail system more or less closes

[Senator Joe O'Toole.]

down at 9 p.m. and is thus a wasted infrastructure. I have exaggerated here but only slightly. Freight should be moved during those times when trains are not running. Business and commercial vested interests of previous generations did not allow trains to be brought a further 100 yards or 200 yards to the docks at Limerick, Dublin and other cities. Business communities were always determined to block this type of movement. It should be the case that the majority of cargo is taken off the boats and onto the rail. Limerick docks is very busy, with two ships per day from Europort in the Hague. Currently, these containers are all going onto the roads. This is unnecessary and is merely a legacy left to us from the time when carters and carriers made their fortunes bringing goods from the dockside to the rail head, which was only 200 yards away. That day is gone and we should move on.

**Senator Dan Boyle:** The transfer of taxation arrangements in terms of annual motor tax from an engine capacity to an emissions basis was a Green Party initiative which at the time was greeted with no small degree of cynicism by many in the political system. It has turned out to be an enormous success and the evidence of that success is that 80% of the cars bought since then are in bands A, B and C.

An attempt was made in dishonest political debate to ascribe the lessening of car sales to the introduction of a new taxation system, and that was accompanied by similar changes to vehicle registration tax, but if we consider the position of the three main car companies in the United States, the failure of new car sales is a global phenomenon that has much to do with the type of cars offered to consumers. The old gas guzzling type is a machine that is slowly disappearing from the world stage, something for which we should be grateful. Not only are people being offered alternatives in terms of different fuel types — biodiesel as well as standard petrol — we have also the onset of mass produced electric cars to which Senator O'Toole referred earlier.

The comment about the intentions of the Government in this regard was somewhat unfair. The Government has announced the radical measure that by 2020 10% of all vehicles on the road will be electric vehicles. That means that year on year from now we will have to sell 15,000 new electric cars in a context where currently there are probably fewer than 1,000 electric cars in the country. That is something to which it is worth aspiring. There will be obvious benefits in terms of our collective carbon footprint and transport will be changed.

Senator Norris spoke about the alternative to a tax of this type being a tax directly on petrol and linked to usage. There is no doubt that might seem on the surface to be a fairer tax but it would go against the argument made by Senator Coffey at the start of the debate that this proposed tax, in terms of emissions base, was unfair to people in rural communities. A tax based purely on usage would be very unfair to rural communities because of the distances from many services and large population centres. It was also unfairly stated that the price of petrol here has something to do with the level of taxation on a litre of petrol.

In comparison to other European countries — the United Kingdom, France and Germany — despite the fact that we have VAT and excise duties, taxes on direct uses of petrol are lower in Ireland than in any other European country. We have a capacity in that regard should we need to change it.

The other point regarding dependence on a tax——

**Senator Paudie Coffey:** Is the Senator saying he intends to raise taxes on petrol?

**Senator Dan Boyle:** I am saying there are two arguments for it. First, it affects rural communities disproportionately and, second, despite what is being said by Opposition parties——

**Senator Dominic Hannigan:** Which side of the argument is the Senator on?

**Senator Dan Boyle:** Does the Senator want me to start again? I will do that. I welcome the introduction of this legislation and the fact that a Green Party initiative that was much criticised at the time has brought about a welcome change in car ownership and usage and a much better improvement on the previous system. Does that make it clear?

**Senator Paddy Burke:** The Senator's party has destroyed the car market.

**Senator Paudie Coffey:** Cars are no longer selling.

**Acting Chairman (Senator John Paul Phelan):** Senator Boyle, without interruption.

**Senator Dan Boyle:** If we had made no change in last year's budget and kept the current system there would have been a collapse in car sales this year.

**Senator Paudie Coffey:** We have a sub-standard public transport system.

**Senator Dan Boyle:** That is an argument on which we will both agree.

To return to the point about reliance on taxes of this type for local government funding, there is an ongoing concern that local authority funding should not be dependent on car ownership.

**Senator Dominic Hannigan:** Hear, hear.

**Senator Paudie Coffey:** We agree on that too.

**Senator Dan Boyle:** In terms of the current system, we can also look forward to the report of the Commission on Taxation in 2009. Part of its remit is the way ongoing local government taxation will be reformed. I am confident that among the recommendations of the commission will be the degree to which this type of tax will be a mainstay of local government finance and the better alternatives.

In this year's budget we have the introduction of a charge on second properties which will help in terms of future local government finance. As that charge, levy or tax is underpinned with a valuation system, I can envisage that being a form of local government taxation as it is in every other European country we are a partner with in the European Union.

In criticising the way we fund local government now we must be clear that in terms of the alternatives that have to be put in place, it is not a question of reinventing the wheel. They already exist. It is about making the system fairer, making the ability to pay and collect easier and making finance available for direct usage in the local authority areas. At this stage this is the best levy available to us. It helps to a large extent in an economic environment where the other forms of funding — direct State funding and funding from the commercial rates base — have been necessarily contracted. On that basis, the rates not charged in the change of system and the additions being proposed in this Bill are fair. They are proposed on the basis that we must fill the hole in local government finance and do so in a way that reflects the fact that most people who are availing of local authority services, which include the non-national roads, contribute to some of the costs of each local authority.

On those grounds I welcome the Bill and look forward to the report of the Commission on Taxation in September in outlining the way local government finance will be more varied and effective following its recommendations.

**Senator Dominic Hannigan:** I welcome the Minister to the House and commend him on his efforts with this Bill. Any Bill that strategically contributes to an improved environment in

[Senator Dominic Hannigan.]

Ireland is to be welcomed. For all its flaws, we all agree the Bill will update what is an archaic motor tax system and bring it into line with the challenges we now face.

I have made this point previously, but as the economic situation continues to deteriorate it is worth reiterating. We cannot neglect our environmental duties just because the economic crisis has got worse. The respective fates of climate and credit are not mutually exclusive. In that regard the Bill will translate good intentions into quantifiable improvements in our carbon emission levels. While that is welcome, I suggest that in the area of environmental legislation there is an urgent need to move from tactical to strategic legislation.

This Bill deals adequately with a specific aspect of the overall environmental picture and, while I do not doubt the motivation of the Minister, or Senator Boyle, some people may question the motivation behind the Bill because a considerable amount of time has been spent discussing the benefits that will accrue in respect of the income for local authorities. When the Minister, Deputy Gormley, was in the Chamber earlier he mentioned that the local authorities can expect to see upwards of approximately €40 million in additional income next year. I reiterate the sentiments expressed by others in this House, and by Members in the other House, in questioning the rationale of attaching importance to an arbitrary funding model in what should be an environmentally focused Bill.

There are two fundamental problems with earmarking this legislation as a mechanism for local authority funding as well as the environmental focus. First, it is somewhat disingenuous to suggest that this Bill will constitute a type of sustainable funding model for local authorities in the future. By its nature the figure of €40 million additional income will decline in accordance with the success of this Bill. Therefore, if the environmental aspect of the Bill succeeds, its funding aspect will fail.

Second, the inverse is also true and therein lies perhaps the most unappealing aspect of the Bill. In attaching the declining financial fortunes of our local authorities to the environmental performance of our motorists, the Minister has placed the stakeholders in opposing corners of the debate. That is the criticism we make in regard to the funding. It is not whether local authorities need funding; it is the way the local authorities are being put at opposite corners to the environmental lobby.

Anyone who has served on a local authority, which I have done, will be acutely aware of the increasingly desperate financial position many county councils now face. I spoke to Councillor Eoin Holmes, a member of Meath County Council, last night and he explained in graphic detail how strapped is the council for cash. He said legislating to ensure local authorities, on the one hand, and environmentally conscious motorists, on the other, are turned into competing interests is not the answer. Senator Boyle said the Government could not increase local tax rates nor could it provide more money from the Exchequer and, therefore, he seemed to indicate he was in favour of a stealth tax. I hope the Commission on Taxation will resolve this issue next year because we are not happy that the success of this legislation could lead to a deterioration in the financial well-being of local authorities next year.

Twelve months ago, a report by Sustainable Energy Ireland outlined the scale of the challenges we face. It said a 7.1% increase in CO<sub>2</sub> emissions had been noted in the transport sector alone compared to the previous year. In total, this sector represents more than one-third of all of Ireland's emissions. A recent report from the National Academy of Sciences predicted that global car use is becoming so huge that the impact of emissions from today's road traffic on the global temperature in 2100 will be six times greater than today's air traffic.

Single passenger private travel to work is a concept that needs to be tackled immediately. During my research on commuter towns in Counties Louth, Meath, Kildare and Wicklow,



survey respondents suggested journey times to Dublin had increased by 30% over the previous five years. Taken at the maximum, that represents an increase of approximately 80 hours a year in the time commuters spend travelling to and from Dublin to work. That places an enormous strain on them and their families but it also has an impact on the environment. In commuter towns such as Dunshaughlin, Dunboyne and Rathoath in my constituency, it is typical for parents to get up before their children, leave and commute for an hour and a half or two hours to work before returning home after the children have been put to bed. Senator O'Toole referred to the availability of public transport in these towns now and, in particular, he mentioned Ashbourne, County Meath. It is possible to get to Dublin in less than an hour and I avail of public transport from my office in the town when I can. It is important that people are encouraged to avail of public transport and commuters who make the switch from cars to public transport should be rewarded.

Other countries have introduced smarter choices campaigns to inform commuters how to positively affect their pockets, quality of life and the environment by choosing public transport. The city of London is introducing tax deductible green bonuses to reward employees who leave their cars at home. The UK Government is investing Stg£100 million in a programme to speed up the introduction of new low carbon vehicles. This programme is a perfect example of the strategic model in which the Government should invest. A partnership involving the Department of Transport, universities, research agencies, transport companies and local authorities should come together and exploit new radical approaches to decarbonising road vehicles. This is the way forward and such a measure should be implemented.

This legislation does not go far enough. The measures included are worthwhile and necessary but radical thinking is needed, which spells out in the starkest terms how commuters can make better life choices and, in the process, help the environment. A Central Statistics Office report last week stated many commuter towns and villages in Counties Louth and Meath are suffering as a result of the economic decline. The majority of people in these areas will not see this as progressive legislation but merely another stealth tax or small financial hardship in an impossible economic environment. We need to encourage, explain and incentivise if we are to have any hope of bringing such people along with us on these issues.

As Senator Glynn said, a long journey starts with very short steps. The Bill represents a short chapter of a book that needs to be written quickly. It has holes and flaws and its scope is too narrow, but it should contribute to a cleaner environment and my party will not vote against that. I commend the Minister of State on introducing the Bill in the House and I acknowledge the good work done on Committee Stage in the Dáil.

**Senator Martin Brady:** I welcome the Minister of State and his officials. Like others, I welcome the Bill, which will lead to a cleaner and better environment. I also welcome the establishment of the interdepartmental agency group to examine the best way forward in promoting the use of electric vehicles. However, public representatives receive many letters and telephone calls from motor industry representatives about how they will be affected by the legislation. The industry is crippled currently with dealers having no space to store used cars and most not taking trade-ins. More details are needed on the transformation that will result from the implementation of the legislation and motor dealers must be taken into account because many people are employed in the industry.

Senator Norris referred to the taxi industry. There are more taxis in Dublin than in New York. Illegal taxi operators, taxi cloning where people use two or three plates with the same number, the manufacture of plates and the PSV licence test are all issues. Any amount of fraud is taking place and the system for testing has not been changed in the past ten years, but the Joint Committee on Transport is examining this issue. We also have a problem with women



[Senator Martin Brady.]

being raped in taxis and so on. I believe, as do many others, that the Taxi Regulator has lost control of the issue. She claims she does not have sufficient resources but her office took in €42 million in the past few years. The only way out is to put a moratorium on the issue of taxi plates until she gets a handle on these issues.

Senator O'Toole raised the issue of the Iarnród Éireann freight service, which I have been raising for years. This facility is under utilised and it would take many heavy vehicles off the road. For example, the rail line between Dublin and Navan has been closed for years. It would not cost much to reopen it. Several surveys have been conducted on the line and everything is *in situ* but I cannot understand why it has not been reopened. Our inland waterways are also under utilised and this issue should be examined because their use would also alleviate traffic congestion in Dublin and other cities where water taxis could be used to take people from the ferry ports to train stations. Senator O'Toole is correct about the under utilisation of the resources Irish Rail has at its disposal. Services cease at 11 p.m. every night and everything lies idle.

I refer to the new motor taxation regime and the funding of local authorities. I do not fully agree with it because local authorities have other ways of raising funds and the car user should not be penalised for everything. Motorists are under the impression the Government does not want them to have cars. I fully support the concept of people changing over from private cars to public transport but if they pay a substantial amount for a car, they should have the liberty to use it if they wish. Parking charges were increased a few weeks ago and people were told to leave their cars at home and take public transport. That is not always convenient. It is not easy to shop and use public transport. For example, I waited for a bus in Saggart, County Dublin, on one occasion for three quarters of an hour. It is not as easy as some people think. We must get public transport operating efficiently before measures such as this are implemented, which affect the public.

**Senator Paddy Burke:** While I welcome the Minister of State, Deputy Michael Kitt, I am disappointed the Minister is not present to respond to the issues Senators raise. Although I do not welcome the Bill in its entirety, I am pleased to contribute to the debate on it.

It is disingenuous of the Minister of State to argue that motor taxation has increased at a slower rate than inflation over the past eight years. Those who tax their cars do so for the subsequent 12 months rather than the previous eight years. It is disappointing, therefore, that the motor taxation increased this year at a significantly higher rate than inflation, which is relatively low.

Like Senator Brady, I do not propose to dwell on issues raised by previous speakers. Road signage is appalling throughout the country.

I concur with comments made by previous speakers on rail freight. One of Europe's largest Coca Cola manufacturing plants is located in County Mayo which has one of the worst rail freight services in the world. It is difficult to get Iarnród Éireann to take action on the issue of freight. I expected the Minister for the Environment, Heritage and Local Government, Deputy Gormley, to take action on this issue but he has not done so. Rail freight users regard the tracking of freight as an important issue as they want to know how their products will get to Dublin, Waterford or the ports. Action must be taken in this area.

I have a number of difficulties with the operation of the national car test, NCT. Some car owners, through no fault of their own, allow their NCT certificate to lapse. If they do not obtain a statement from the Garda that the car has been off the road for the period since the NCT certificate lapsed, the new certificate will be backdated. The result is that the new NCT may be valid for less than 12 months. NCT certificates should be valid for two years from the

date on which the test takes place and should not be backdated for six or 12 months. The current practice puts money in the pockets of the NCT operators.

In some cases, motor traders who put cars parked in their garages through the national car test can only get a certificate for six or 12 months. If a car is off the road or has been bought from a customer, the national car test should stand for two years. It is ridiculous that this is not the case. The current practice would not be allowed in any other country.

The NCT operators appear to have the Government by the short and curlies because imported cars being from Britain must immediately undergo the national car test, despite having the British national car test. I ask the Minister of State to address the issues I have raised.

Maintenance workers, carpenters, bricklayers, builders and unemployed people who own small goods vehicles must pay a higher toll on motorways than the owners of some private cars. In some cases, these vehicles are smaller than cars. This practice must be reviewed as it is not helping business.

The requirement that small goods vehicles go through the NCT every 12 months imposes a major cost on the business community. It is an anti-business measure which imposes costs on transport. What action does the Government propose to take on this issue? I hope the Minister will address the anomalies surrounding the national car test.

The Minister of State referred to an additional sum of €80 million to be provided for specific local government purposes, including the operation of water services and the administration of group water schemes and the vehicle administration unit. Will this funding be distributed to some or all local authorities? On what will it be spent?

The largest tax facing businesses in County Mayo and elsewhere is water and sewerage charges. The sole reason a Fianna Fáil-led Government transferred the power to impose such charges from local authority members to county managers was to ensure such charges increased. The Minister proposes to give additional powers to local authority members when a power which was transferred from local authority members to county managers is being used and abused.

The largest tax on small businesses used to be rates but it has been replaced by water and sewerage charges. The county manager of Mayo County Council is seeking a 6% increase in water and wastewater charges. The current charge, which was zero several years ago, is massive, with some restaurants and bars paying up to €20,000 per annum. The charges are far in excess of local authority rates. It may look good not to increase rates but county managers are seeking unsustainable increases in water and wastewater charges. The Minister must review this matter. I ask the Minister of State to explain on what the €80 million will be spent, specifically in County Mayo.

**Senator John Paul Phelan:** I share Senator Burke's view on local charges and concur with his comments on the need to have national car test certificates stand for two years from the date on which the test takes place.

On the ongoing anomalies surrounding the removal of the M50 toll plaza, virtually every Member of the Oireachtas will have received representations from people who claim to have been charged in error for using the M50. I have been contacted by people who maintain they were not even in Dublin when they supposedly passed through the M50 camera system. The new system is experiencing many teething problems, including with its payment mechanisms. I ask the Minister of State to comment.

Most speakers referred to the rail network. I sometimes travel to Dublin from either Waterford or Thomastown rail station. Unfortunately, it takes as long to travel to Dublin from Kilkenny and Waterford by rail as by car, which means there is little incentive to travel by rail.

[Senator John Paul Phelan.]

If the service was improved, I and others would use rail more often. Senator Coffey is correct that people must regularly stand for the entire journey between Dublin and Waterford, which is not acceptable in this day and age. I have received a number of representations on this issue.

Previous speakers referred to rail freight. We have seen a shocking decline in rail freight and Iarnród Éireann seems determined to get rid of it completely at a time when we should be encouraging more businesses to transport their goods by rail and remove such traffic from our road network.

The ban on heavy goods vehicles in Dublin city centre has worked quite well and we should encourage more transport of heavy goods by rail. I, like others, thought that when the Green Party entered Government that might be a priority but, like a number of issues, it has disappeared from the agenda.

I concur with Senator O'Toole's comment on the 10% target for electric cars. Senator Boyle said Opposition parties made the case for the tax being on fuel. Senator Norris, not Opposition parties, made the case.

Senator Boyle made an interesting contribution on the funding of local government. My problem with the motor taxation system as it currently exists is that it is the major mechanism by which central government funds local government through the local government fund. In the recent budget that funding was cut by 8% or 9% and this will have a serious knock-on effect on the services provided by local government.

Senator Boyle also made the point, and it is the first time I have heard it articulated so perhaps the Minister of State will be able to explain it further because while it is not directly related to motor taxation, I would like to know the Government's policy on it, that the tax on second properties announced in the budget would be used as a mechanism in the future to fund local government. He said that loudly and clearly and that he wanted it to be underpinned by rateable valuation. In other words, he wanted a reintroduction of rates, on this occasion on second homes, and this would be used to fund local government in the future.

Is that the Government's position or was he just flying a kite? It is not something I have heard spoken about in this House or the other House by any Government representative until this point. Perhaps the Minister of State is in a position to respond. Rates were suspended but not abolished in 1977, and perhaps this is a reintroduction of rates to fund local government.

I wish to make a number of other points. Senator Coffey was correct when he spoke about the manner in which this scheme is being introduced, in the absence of significant improvements in our public transport infrastructure. We have seen significant investment in roads, which is to be welcomed. Inter-urban routes have been significantly improved. The worst national primary route in Ireland, the N9 between Waterford and Kilkenny, is in my own area. I welcome the fact that the new motorway will be opened some time next year. It should have happened a long time ago.

The return the taxpayer sees for their motor taxation in local road improvements is not commensurate with the increases seen in taxation over recent years. I am thinking in particular of non-national roads. One example in my own area is the regional road between New Ross and Kilkenny, which passes through Thomastown where I have my constituency office. It is one of the worst traffic blackspots in the country and has not been bypassed. The provision of the new motorway between Waterford and Dublin will alleviate some of the traffic difficulties in Thomastown, but there is a significant problem with the regional road because it links from Rosslare across the country. Many heavy goods vehicles and tourist traffic use that road.

*1 o'clock*

There are now serious questions on the funding of the bypass and relief road for Thomastown which has been on the agenda since before I was born. A number of years ago we were promised it would happen. We saw a detailed drawing on a map but I do not know if it will happen. I hope there is enough money left in the kitty to ensure it does happen. It is a necessary significant improvement needed in the future.

I have covered all the issues I wish to raise. The problem with this Bill is that it emphasises again the Government's reliance on motor taxation as a method of funding local government. Alternatives were mentioned by previous speakers, but we need a broader discussion in the future on the funding of the local authority network throughout the country. I do not think this change in motor taxation is a step in the right direction.

**Senator Jerry Buttimer:** It is important to put a number of things in context. Local governments are in crisis regarding funding. Small, medium and large car dealerships are in crisis. I visited three car dealerships in Cork city last Monday. There was no one in them, no one was buying or trading and the dealerships were looking for customers to purchase cars.

Minister for the Environment, Heritage and Local Government, Deputy John Gormley, and his Government colleagues did untold damage to the car industry in their budgets. I appeal to the Minister of State to negotiate with his colleagues in Government and come up with a stimulus package or scrappage scheme to help the car industry and the hard-pressed consumer. Senator Glynn, I believe, and others mentioned trading in second-hand cars. We need a rescue package for the car industry in Ireland. We hear the Government is becoming concerned about CO<sub>2</sub> emissions and the reduction of our carbon footprint, but a balance must be struck.

We have a Minister for the Environment, Heritage and Local Government who is giving with one hand and taking with the other. The Minister of State has spent a long time in politics. The reality is that under this Government there has been a reduction in funding to local government. That is a hard fact. This week Cork City Council passed its budget, as did Cork County Council and other councils. They are struggling to balance budgets, maintain services and continue to provide employment at a time when Government has let them down.

We then have this great Green mantra about public transport. Every one of us is in favour of public transport which is effective, modern, environmentally clean and provides a service to people. One of the greatest mistakes made in Cork city was getting rid of the tram service. We had the first and second Lutz development plans and the Cork area strategic plan. We have had exponential growth in metropolitan Cork.

Let us paint a picture of a family of a mother, a father and three children getting up at 7 o'clock on a school morning to get out the door at 8 o'clock, get ahead of the traffic and go one mile to reach school for 9 o'clock. We have invested millions in bus lanes which are going nowhere in Cork city. They are white elephants. Gardaí patrol them at 9 o'clock in the morning, pulling people in, and awarding penalty points, and yet there is more congestion. Despite this, the Government increased the fee for public transport in schools, as Deputy Frank Feighan, Fine Gael spokesperson on school transport has consistently pointed out. The fee for two children going to school has risen from €198 to €600, as Deputy Feighan pointed out in a debate in the other House. Where is the incentive to use public transport? Where is the incentive in Cork city to get children to take the bicycle or to walk to school? There is no vision. There is a green mantra about all this, but there is nothing happening.

All across Cork, in Grange, Rochestown, Bishopstown, Togher, Glasheen and Carrigaline, I see endless queues of traffic when there would be no need for it if we had a proper transportation system. I call on the Minister of State and his colleagues to set in place a system of light rail for Cork city and metropolitan Cork. Traffic gridlock can be freed up and sustainable

[Senator Jerry Buttimer.]

communities can be created in the heart of Cork. We can free up communities and have free movement, as opposed to gridlock. That has not happened.

I welcome the new addition to the Cork to Dublin motorway. Why is it that the NRA, a body that is unaccountable to this House and the other House, can plan a road with no rest area or motorway service stop? I can now drive from Cashel to Abbeyleix with no service stop and from Cork to Mitchelstown and from Kilbeheny onwards with no service stop. That is unacceptable. We need light rail for Cork and we need the NRA to become an accountable body so that we can ask about the lack of a flyover at the Sarsfield Road roundabout and at the Bandon Road roundabout in Cork city, or about the lack of rest areas on the motorway.

**Senator Maurice Cummins:** I want to speak about a subject that is close to my heart and something about which I spoke in this House on a number of occasions. I am referring to rail transport, especially freight services to our ports. I worked in Waterford Port for many years and on any weekend, ten or 12 trains would come in, while two or three trains per day were coming in to the port every day during the week. For whatever reason, Iarnród Éireann forgot about rail freight and had no interest in it. The company let the business fade away. It was uncompetitive, even though it had the best infrastructure possible in Waterford Port. It is improving a little bit, but Iarnród Éireann was so uncompetitive that the companies operating in the port got quotes from hauliers which were much cheaper. This probably suited Iarnród Éireann because it could get out of the rail freight business and let people go.

I would have thought that the first priority of a Green Party Minister would be to transfer the amount of road freight on to the railways. The Green Party should have been completely in favour of any subsidy necessary to do that. I thought it would have been pushing this agenda at this stage. It is still not too late. There should be rail links to ports in places like Dublin and Limerick, and it would not take a major amount of money to provide that infrastructure. The will has to be there from the Minister, the Department and Iarnród Éireann, but it does not seem to be there. We need a change of emphasis in this respect. How many times have we seen accidents involving juggernauts going through our cities and towns? How much damage are these trucks doing to our roads? There is a more sensible way of doing things that is much healthier for the environment.

I hope that the Minister for the Environment, Heritage and Local Government will put some thought into this policy, which is a green policy. Obviously, his intentions do not seem to match the action that we have seen to date.

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael P. Kitt):** I thank all the Senators who contributed to the debate. The purpose of the Bill is to seek a modest increase in motor tax as a contribution to ensuring that local authorities have the resources to provide good quality local services to the public across a range of areas. The general purposes grants, financed from the local government fund, are an important source of local authority funding and they represent about one fifth of the total current income. They are discretionary and may be used by authorities to fund whatever day-to-day operations they consider necessary.

The major changes introduced to the motor taxation system in 2008 will make a real contribution to reducing emissions in Ireland. The Minister intends to keep the system under active review to ensure that it meets its twin objectives of securing more sustainable motoring, while ensuring that motor tax continues to contribute sufficient resources to local government funding. This is just one of a broad range of measures that will be required if Ireland is to meet its EU and international climate change obligations.



The Minister was here for most of the debate and he agreed with the points made by Senator Coffey about the need to invest in public transport and in all modes of sustainable travel. The Government is investing record sums in public transport and further policies will be outlined in a new sustainable travel and transport strategy, which the Minister of Transport is preparing. We have a huge challenge to meet if we are to reduce our emissions. As the recent SEI figures have shown, there have been major energy efficient gains in recent years. It is clear that transport is a difficult area that requires concerted effort.

The Minister pointed out that the Government has introduced new incentives on electric cars. There has been a significant objective to put 250,000 electric cars on Irish roads over the next decade. There is no VRT on electric vehicles and there is a low motor tax charge that has not increased in the past two years.

There is merit in taxing fuel. The Government raised petrol tax by eight cent per litre in the recent budget. The Government is continuing to look at carbon taxes and will keep these issues under review. Not everybody lives in Dublin and the costs on people who are car dependent and who do not have access to public transport must be considered. Senator Norris raised the issue of cars for the disabled and the Minister has taken that up. The Minister was also impressed by the points made by Senator O'Toole on electric vehicles. The Minister for Transport and the Minister for Communications, Energy and Natural Resources have resolved to roll out the electric charging infrastructure to which the Senator referred. I will pass on his comments to my colleagues.

Senator Hannigan suggested that the new system of taxation will present challenges in respect of protecting income from the local government fund. These changes are being made on the basis of revenue neutrality. They will continue to be kept under review. The recommendations of the Commission on Taxation, which was mentioned by Senator Boyle, will also be important.

A number of Senators raised issues which come under the remit of the Department of Transport, including rail freight, road construction, the national car test and toll roads. I will pass the Senators' remarks on these matters to the Minister for Transport. I regret that I was not in attendance for Senator Glynn's comments on some of these issues.

Senator John Paul Phelan raised the possibility of introducing a form of taxation to support local government. The levy on second properties, which was announced by the Minister for Finance on budget day, will be set at €200 per property. The more general issue of local government funding, to which Senator Boyle referred, is being considered by the Commission on Taxation, in accordance with its remit to examine all issues of taxation.

Senator Buttimer bemoaned the loss of the Cork city tram service. The loss of a rail service, which has been experienced in many parts of the country, is always regrettable. I will pass to the Minister for Transport his comments on the possibility of developing a new light rail service in Cork city. The Senator made a good point about rest areas on motorways. As someone who uses the road between Dublin and Galway quite frequently, I am aware that the section between Dublin and Athlone is now quite good. I hope the motorway will be extended as far as Ballinasloe next year. I accept that there is a need for rest areas on such long stretches of motorway.

Senator Cummins spoke about rail freight. I am conscious that good work is being done to facilitate the transportation of freight by rail, particularly along the western rail corridor which was closed in 1975 but is now being redeveloped, with the section between Ennis and Athenry set to open next year. I hope more progress will be made with the transportation of freight and passengers along such railway lines.

I consider the proposed increase in motor tax rates for 2009 to be reasonable in this challenging economic period. I am grateful to all Senators who contributed to the debate on this Bill.



[Deputy Michael P. Kitt.]

Question, “That the Bill be now read a Second Time”, put and declared carried.

**Acting Chairman (Senator John Paul Phelan):** When is it proposed to take Committee Stage?

**Senator Camillus Glynn:** Now.

Agreed to take remaining Stages today.

**Motor Vehicle (Duties and Licences) (No. 2) Bill 2008: Committee and Remaining Stages.**

Sections 1 to 6, inclusive, agreed to.

SCHEDULE.

**Acting Chairman:** Amendments Nos. 1 to 6, inclusive, in the name of Senator Coffey, are out of order as they involve a potential charge on the people. Therefore, they cannot be moved.

Amendments Nos. 1 to 6, inclusive, not moved.

Schedule agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

Question put: “That the Bill do now pass.”

The Seanad divided: Tá, 26; Níl, 14.

Tá

Boyle, Dan.  
Brady, Martin.  
Butler, Larry.  
Cannon, Ciaran.  
Carty, John.  
Corrigan, Maria.  
Daly, Mark.  
de Búrca, Déirdre.  
Ellis, John.  
Feeney, Geraldine.  
Glynn, Camillus.  
Hanafin, John.  
Keaveney, Cecilia.

Leyden, Terry.  
MacSharry, Marc.  
Ó Domhnaill, Brian.  
Ó Murchú, Labhrás.  
O’Brien, Francis.  
O’Donovan, Denis.  
O’Malley, Fiona.  
O’Sullivan, Ned.  
Ormonde, Ann.  
Phelan, Kieran.  
Walsh, Jim.  
White, Mary M.  
Wilson, Diarmuid.

Níl

Bacik, Ivana.  
Bradford, Paul.  
Burke, Paddy.  
Buttimer, Jerry.  
Coffey, Paudie.  
Coghlan, Paul.  
Cummins, Maurice.

Donohoe, Paschal.  
McFadden, Nicky.  
Norris, David.  
O’Reilly, Joe.  
Phelan, John Paul.  
Ross, Shane.  
Ryan, Brendan.

Tellers: Tá, Senators Camillus Glynn and Diarmuid Wilson; Níl, Senators Paudie Coffey and Maurice Cummins.

Question declared carried.

**Business of Seanad.**

**Senator Dan Boyle:** I move: “That the sitting be suspended until 5 p.m.”

**Senator Jerry Buttimer:** On a point of order, the acting Leader is proposing suspending the House until 5 o’clock. We raised many items on the Order of Business that could be discussed.

**Senator Dan Boyle:** It is in line with the Order of Business.

**An Cathaoirleach:** That was the Order of Business agreed this morning.

*Sitting suspended at 1.40 p.m. and resumed at 5 p.m.*

**Foster Care: Motion.**

**Senator Geraldine Feeney:** I move:

That Seanad Éireann commends the Government, the Health Service Executive and the Irish Foster Care Association and acknowledges the measures taken for the continued successful provision, development and support of foster care services which give children the opportunity to experience life in a supportive family setting during particularly vulnerable times in their lives; Seanad Éireann further commends the foster carers undertaking this valuable role and supports the Government and the Health Service Executive in their continuous efforts to encourage and recruit new foster carers into the service.

It gives me great pleasure to move the motion on foster care. I welcome the Minister of State at the Department of Health and Children, Deputy Barry Andrews, to the House and thank him for coming in to take the debate this evening.

When I was preparing for this debate I started to wonder for how long there had been fostering in Ireland. It is certainly as old as I am, and I will not divulge my tender age — I am a lot younger than Senator Glynn, who is sitting behind me. I asked somebody when we started fostering children in Ireland and the person, who I thought was an expert on the matter, said she did not really know but that it was before 1970, when the health boards were set up and took over the process. She told me a lovely story. She said that before it was called fostering it was called “boarding out”, and that it was the responsibility of county councils throughout the country. She said that one still hears people today affectionately talking about being boarded out with Anne, John, Paddy or Mary. Obviously there are good memories of that.

I am delighted to have an opportunity to speak on this motion. I notice that the last part of the Government motion states: “Seanad Éireann further commends the foster carers undertaking this valuable role and supports the Government and the Health Service Executive in their continuous efforts to encourage and recruit new foster carers into the service.” We have just seen a national fostering recruitment drive across the country, which has been a great success in my area of Sligo-Leitrim and west Cavan. It is heart-warming to see such a huge response from families who want to help other families that are in need of care or that are suffering pain in these difficult times. It is difficult for the family whose child is going into foster care, but it is equally difficult for the family taking in that child, particularly in the current economic climate. Perhaps it is not as easy for some families to take in another child, yet they open their doors readily.

I asked what was the profile of a foster family and I was told that foster parents are as different and as unique as the children they bring into their homes. I thought it was lovely that no stone was left unturned to make sure the right child got into the right home and that the parents and the child bond, in the interest of the child more so than the parents.

[Senator Geraldine Feeney.]

Although this is a good subject for discussion and there are good things happening in the area, on which the Minister will elaborate when he addresses us today, there are areas that are still causing concern. Everybody loves babies and small children, and particularly at this time of year everybody looks out for small children. However, there are problems — perhaps it is wrong to say problems, but there are issues — with older children, from around the age of ten to the teenage years. As a mother of four, I can certainly understand that. I always loved the birthday parties until they became ten-year-old birthday parties. I have two boys and two girls, and while I could contend with the girls, the boys were nightmares, and the half a dozen little fellows they would bring in were even worse than the two I had at home. I know what it is like to have teenagers, the problems, the worries, the troubles, the heartache that teenage children bring, whether they are one's own or foster children. There is no doubt about it, the challenges are immense.

I commend the foster parents who take on children and take on those challenges. I know as a parent that it is a challenge, but the rewards are immense also — that big outburst of love, in a very simple way, whether it is a hug or a kiss that lands on your ear instead of on your cheek when you embarrass them as they are coming out of school. It is all worth it in the end.

The people I spoke to who are working with foster families have told me they are always humbled by the people they meet who are prepared to open their homes and their hearts to children in need of care. It is hard to find families to take children with high level complex issues and children with special needs — perhaps a teenager who is in trouble with drink, drugs or whatever. Perhaps we should consider running a campaign to look for families to take such children. I am sure it would mean taking more money out of an already very pressed Exchequer, but the results would certainly be worth it. There is no doubt that foster care is a positive experience for any child or young person. These children will go through their lives like the people I spoke about earlier who have nice stories about being boarded out. I am sure that when they come to tell their stories in 20, 30 or 40 years' time they will remember fondly the people who were kind and took them into their homes.

There would not be a need for foster parents if there were not children whose lives were in some kind of danger or who were experiencing pain in their own family environment. Whether it is physical, emotional or sexual abuse, or perhaps none of those three, there is still a huge need. Such children require dedicated care and attention and this is given to them in a foster family and through the wider family consisting of a social worker, a child care worker or whomever the child encounters as a result of being in that environment. Everyone involved wants the best for the child.

It is only right children would have that back-up because some of them are very traumatised by what has happened in their home or family environment. We know some children carry that trauma into adulthood and sometimes, sadly, do not even seek help for whatever might be bothering them until they are well into their adulthood and may have acquired other problems as a result of what happened in their childhood.

Foster parents play a very significant role in the life of a child in their care. They become his or her main educators. They are the ones who liaise with the teachers and go to the parent-teacher meetings. There are six-monthly or annual reviews for the child, depending on how long that child is in foster care.

There is a need for swift implementation of the Guardianship of Infants Act, according to those to whom I have been speaking. The Minister of State and I have talked about this Act in another arena at an Oireachtas committee. Under the Act, foster parents would have the right to sign for a child in the case of a medical emergency or for something as simple as

permission for the child to go on a school tour without referring back to someone else. This helps to make the child feel the same as any other child going on a school tour or when any issue arises regarding the child's health.

I will be somewhat parochial and say that I spoke to the team leader of the foster care team in Sligo. She is a good County Offaly woman like myself. She said the best Christmas present for her would be the implementation of the 2009 service plan which is the national foster care standard. She would like to think that what we have just published could be implemented. Her team has been up and running for the past ten years. It has not received any additional resources. The team has five or six social workers and one team leader for all of Sligo-Leitrim and west Cavan. I take my hat off to them because I know at first hand the wonderful work they do and which they want to continue doing. I ask the Minister of State to consider implementing the national foster care standards.

Sligo-Leitrim and west Cavan have 100% allocation of social workers to children but I am aware this is not the case everywhere else. I also spoke to people in County Mayo and they have a wonderful facility with 100 families giving foster care to 110 children.

I wish the Minister of State well and ask him please to keep an eye on this area. I hope he can see his way to implementing the Guardianship of Infants Act and the national foster care standards.

**Senator Camillus Glynn:** I second the motion. With the permission of the Chair, I will reserve my contribution until later.

**Senator Frances Fitzgerald:** I move amendment No. 1:

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

“commends:

- the excellent work carried out by the Irish Foster Care Association and foster carers throughout the country;

condemns:

- the Government's failure to implement the Children First principles in a comprehensive and uniform manner over a ten-year period in this country;

notes:

- that the failure to fill vacant social work posts and to recruit new social work staff was putting vulnerable children at risk;
- that a report by the Government's own social services inspectorate into a HSE fostering service found that one third of all children did not have a dedicated social worker or a care plan;
- the huge pressure on front-line health service professionals in terms of protecting children at risk which means that many children are not receiving an adequate service;
- the long delays in assessment and treatment for children and adolescents with mental health difficulties and the lack of age-appropriate inpatient services;
- that hundreds of young people who leave the care of the State each year are at risk of homelessness because of a lack of after care services;

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calls on the Government to:

- work with professionals to address their concerns at gaps in terms of child protection and the provision of services;
- ensure the implementation of the Children First principles throughout the country in a uniform manner;
- remove the recruitment cap on front-line health service professionals;
- act upon the concern of organisations at the front line of providing care for vulnerable children and put in place dedicated after care services to enable these children reach their potential;
- outline what action it has taken to implement the concerns expressed by the social services inspectorate into a HSE fostering service;
- give legal security and recognition by way of constitutional referendum to the hundreds of children in long-term care, for whom adoption would be appropriate; and
- in light of the baby P case in Britain to take all necessary action to ensure that such a situation could not occur in Ireland.”.

This side of the House commends the excellent carried out by the Irish Foster Care Association and foster carers throughout the country. There is no doubt about that.

We condemn the Government’s failure to implement the Children First principles in a comprehensive and uniform manner over a ten-year period in this country, as noted in recent reports. We note the failure to fill vacant social work posts and to recruit new social work staff because that puts children at risk.

We note that a report by the Government’s own social services inspectorate into a HSE fostering service found that one third of all children did not have a dedicated social worker, which is a huge source of stress for foster parents, or a care plan, which is not very good for the children involved or, indeed, the foster parents. We note the severe pressure on front-line health service professionals in terms of protecting children at risk which means that many children do not receive an adequate service. We note the long delays in assessment and treatment of children and adolescents with mental health difficulties and the lack of age-appropriate inpatient services. This week the Kildare service announced it was closing its waiting list except for the most urgent cases. What effect will this have on the mental health of so many children?

We also note the hundreds of young people who leave the care of the State each year and who are at risk of homelessness because of a lack of after care services. We call on the Government to take various actions to deal with this situation, to look at the gaps in terms of child protection and the provision of services, and to ensure the implementation of the principles of Children First throughout the country in a uniform manner. I understand the cap on recruitment has been lifted but the posts are still unfilled. We call on the Government to act on the concerns of organisations at the front line of providing care for vulnerable children and put in place dedicated after care services to enable these children reach their potential.

I ask the Minister of State to outline to the House what action he has taken to implement the concerns expressed by the Government’s social services inspectorate into a HSE fostering service. Many foster parents would welcome legal security and recognition by way of a constitutional referendum to the hundreds of children in long-term care for whom adoption would

be appropriate. In light of the baby P case in Britain, I ask the Government to take all necessary action to ensure such a situation could not occur in Ireland if it has not already occurred. I say this because I am very concerned about the Ombudsman for Children, Emily Logan, who, because of her concerns about the position of some children whose cases have been reported to her, which she says are as serious as they can get, is now carrying out her own investigation of them. I do not know if that means that children have died or if they are at risk and I am not quite sure what it implies about care, but I understand there are very serious concerns which the Ombudsman for Children is investigating. I do not know when the Minister of State will receive her report but it is clearly a very serious issue of concern to everyone.

I assume that in moving this motion the Government wished to pay tribute to the Irish Foster Care Association and foster parents which is well deserved and on which point there is no argument. The concern has to be about the child who does not reach foster care, who does not even get his or her needs assessed and whose case is not allocated to a social worker. I have heard phrases in the course of my research for this motion from people who have said that there are drawers in Health Service Executive offices full of cases which have not been allocated. I have heard of child care managers who are at their wit's end trying to respond to the cases that are being brought to their attention. This is everyone's concern. Not every case referred to the HSE is a child protection issue. There can be issues of child welfare of varying types which can be resolved by different actions and intervention.

When will the Minister of State, Deputy Andrews, be in a position to inform the House what number of cases, which have been brought to the attention of HSE officers and teams, are have been left without a social worker? I read the HSE report, published yesterday, and noted an information gap on figures in this area. While I accept the HSE is tackling the problem, how many cases in the system have not been allocated a social worker? How many children, and their families, in foster care have not been allocated a social worker?

Foster parents have several key concerns. The current economic situation puts more pressure on them. I appreciate yesterday's announcement on legislation in the adoption area, welcomed by the Irish Foster Care Association, which gives a little more autonomy to foster parents. As far as children at risk in Ireland are concerned, everything in the garden is not rosy. I acknowledge, however, the increased resources in this area. We have come from a time when there was very little funding to one when there is modest funding.

I also welcome the changes introduced. Foster parents and the HSE have played a large role in these. Many more at-risk children go into foster care rather than residential settings. We need to set a higher target on this. A home setting is far better for children than residential care. That has been a marvellous change in our social policy. As a former social worker who worked with children in residential settings, foster care and those waiting for adoption, I recognise and welcome the changes made.

Nevertheless, many children who end up in foster care do so because their safety, well-being and future development have been at risk. These children are vulnerable and their needs exceed those of other children. While committed carers take on caring for them, we must ensure the State also responds to the needs of the children and their foster parents in an ongoing way, not just at the beginning of the placement. Issues arise at all times. For example, when a child in foster care reaches adulthood, what supports will the foster parents get at that point? The after care policy needs to be clear. It is not good enough to give the supports up to 18 years of age and expect everything to be covered after that. Ongoing contact with the child protection welfare services can be a great support.

The HSE claims that no child at risk that is referred to it goes without an assessment. It decides that children at risk will be seen, where possible, by a social worker. The concern is,



[Senator Frances Fitzgerald.]

however, that one does not know the level of risk until the assessment has been done. If children are not assessed, how does one know one is moving to help the right children in the right place?

“Prime Time Investigates” examined foster care in the north east and found there were some concerns. Has there been a response to that report? Has there been a response to the social services inspectorate report? There is a major concern that the Children First national guidelines are not being implemented uniformly. I was shocked when reading the Department’s report on the implementation of the guidelines. It is clear there are inconsistencies in the guidelines’ application. Would it be better to put them on a statutory basis?

Will the Minister of State update the House on what actions he has taken since the “Prime Time Investigates” programme brought to light the problems facing social workers in addressing child protection and welfare services? Will he explain how he can ensure the necessary number of social workers is put in place? How many files of children at risk remain unallocated to a social worker? What action has the Minister of State taken to integrate the social services inspectorate into a HSE fostering service? How does he intend to ensure the implementation of the Children First guidelines, which are not being implemented nationally, potentially putting children at risk? When can organisations such as the Irish Foster Care Association expect to see after care services put in place for people leaving the care of the State?

I hope the House will accept my amendment to the motion. It highlights the urgent need to put the care, welfare and protection of some of our most vulnerable children above all else. We have seen the drama that has unfolded in England in recent weeks surrounding the Baby P case. Thousands of people marched in England in protest at what happened to that young child. We must take preventive action in this country. We must put services in place to support children who are at risk, assessing them, allocating social workers to them and ensuring foster parents get the support they need.

**Senator Fidelma Healy Eames:** I second Senator Fitzgerald’s amendment to the motion.

I welcome the Minister of State, Deputy Barry Andrews, to the House. I spoke to him previously on some of these issues when the House debated child abuse. I compliment the Government side on putting down this welcome motion. The Irish Foster Care Association recently called for parents who would take on older children and teenagers.

I have a personal interest in this, having been a beneficiary of foster care, in that my first child is adopted. Before we took him home, he had already been in two foster homes even though he was only three months old. We have the most wonderful resource in foster parents, a precious resource that we must not abuse. They are a selfless and caring group of people, truly amazing in the way they allow adoptive parents into their homes and give advice to ensure continuity of care. It is very difficult for them to deal with separation when they finally have to let go of a child in their care. Often, this is not mediated well between the social worker, the adoptive couple and the foster family. Sometimes there is a need for visits and ongoing contact after the child has been placed in the adoptive family. That can be difficult for some adoptive couples. It is important the HSE, social workers and the Minister of State are aware of their needs in regard to the separation.

I congratulate Senator Fitzgerald on her well crafted amendment to the motion. With the detail she has put in it, I can tell she is on the ball concerning foster care. Such parliamentary work is good not just for Fine Gael but for the House and the Government. Approximately, 5,000 children are in foster care, 90% in foster homes and 10% in residential care. The more children in foster homes, the better. In Galway, approximately 240 children are in foster care but there are only three dedicated social workers, with one more to be appointed. The move-

ments and contacts required for one child — I base this on my experience — could take up to one day if not a whole week of a social worker's time.

Senator Fitzgerald's motion refers to the shortage of staff. It is dangerous at times if we do not pay attention to the numbers assigned to a need. An extremely small number of social workers are required for the Galway need. Residential units in Galway are being closed which means that more foster homes are needed for more difficult teenagers. Teenagers are coming in from all levels of society where parents cannot cope. These kids are more difficult to place.

A year ago I was contacted by a mother who was desperate to get help with her out-of-control teenager, who was threatening her and his two year old sister. When the mother asked me to help I called the social work office and spoke to the social worker on duty. I was assured it would be handled. A week later the mother of the child asked me if I had done anything. I replied that I had done all the intervention that day because I knew it was so urgent. Two weeks later, the on-duty social worker had not had a chance to do anything because there was so great a caseload. As Senator Fitzgerald says, if there are so many files unopened, how do we know the risks involved? This is how serious it is.

The Minister of State has a fantastic brief in presiding over the health and welfare of the children of this country. I would love to have that brief but it is a highly dutiful brief. Being a parent of young children, like I am, the Minister of State knows how responsible a role it is. We must consider the numbers versus the caseload. More social workers and a training fund are needed to provide training for foster parents to cope with more difficult teenagers and to entice foster parents to take them. Speaking to foster mothers this morning, they told me they need help with more difficult teenagers. As a father, the Minister of State knows he would need help if he had difficult teenagers.

There is a need for an out-of-hours service on weekends. If a child fractures an arm or needs a tetanus injection, if the foster parent cannot locate the mother and there is no social worker available, the procedure cannot proceed without consent. Then the doctors must make a decision and hope that nothing goes pear-shaped. That is very risky.

Senator Feeney asked about guardianship. A strong case was made to me to represent this to the Minister of State. Can the Minister of State confirm that this measure was put in place yesterday? Perhaps it needs to be rolled out more. Guardianship will allow long-term foster parents to apply for a passport, school insurance, a visit to the dentist, a vaccination or anything in respect of the child.

Another issue brought to my attention is the fee for fostering, some €300 per week. This is considered good for a baby or a young child but not adequate for a child with special needs who must be brought on regular visits to speech therapy or physiotherapy. Petrol costs are not taken into account. A reasonable recommendation is for a tiered system of payment to reflect the need of the child.

Regular training and updating is needed for foster parents. A foster mother told me that older parents, who know quite a lot, are assigned fewer children by the HSE because they are considered more hassle. She felt she know the rights of the child and how to advocate for the child. Another felt the rights of the child rarely comes before the rights of the mother. In one case, a mother entered a new marriage and insisted on having back the child in foster care. She made all sorts of threats to the child and the child returned home. The child had many difficult years with the mother before she was 18 and could go to college. This is a major issue. We must question when the child's needs are best served by the natural mother if neglect is involved. Is there a case there for adoption, as raised by Senator Fitzgerald?

Emily Logan referred in her reports to her concerns about child care. We should bear in mind the Baby P case in the UK. If there is such a trend of neglect by natural parents, let us

[Senator Fidelma Healy Eames.]

do something about it. To be an adoptive parent, one must be assessed and counselled, which is right. To be a foster parent, one must go through the same process, but to be a natural parent, nothing is required. That is fine, but in a case where the child is going into care, the State must ask questions for the good of that child. If the mother's welfare and needs are put before the child, that is in contradiction to the Child Care Act, which states that the welfare of the child is paramount.

The Minister might clarify the status of the foster family and the support, if any, it gets when the child turns 18. The foster family remains the main family for the young person. Children are not home and dry or sorted just because they turn 18. They could be at risk of homelessness due to a lack of after care services. This concern was brought to my attention today, as was the importance of the implementation of the national foster care standards.

I have raised these issues before and I wonder when we will get answers, particularly about caseloads and the need for social workers to be on hand to address them.

**Minister of State at the Department of Health and Children (Deputy Barry Andrews):** I thank the speakers and Senator Glynn for raising this issue. I was asked to appear before the Seanad and, while it is not for me to decide, I was delighted to speak on this issue, which is an area of which we can be proud in terms of the delivery of services. I wish to refer to some items that will not be covered in my main contribution.

This matter was encapsulated in the question asked by Senator Fitzgerald about what we have done since the "Prime Time Investigates" issue arose. That took place the day after I was appointed and it gave me an early baptism. Since then, there is the question of how up to date the figures are. The answer is they are not up to date. Since I was appointed, the 2005 and 2006 figures have been published. I have received a draft of the 2007 figures and a commitment that the 2008 figures will be published by April 2009 and that, thereafter, each year's figures will be published in a more timely fashion. That will give us a better, more contemporaneous assessment of the gaps and duplication that exist and of where we can apply resources more evenly. We are having a major discussion with the HSE to roll out a knowledge management strategy so that we can equip our social workers with the facilities that will allow them to know where risks may arise. If we can get that going, we can make a major contribution to social workers in Ireland.

The HSE is currently in the process of recruiting up to 100 new social workers. I hope that will continue. We must acknowledge that the HSE is doing a very good job in that regard.

Regarding after care, section 45 of the Child Care Act gives a discretionary role to the HSE regarding children after the age of 18. This is interpreted by most HSE staff to mean they will do something and not just write off children when they turn 18. Although it is a discretionary function, they carry it out as if it were mandatory. Nevertheless, I am discussing changing this section with my officials and the HSE in order to put it on a mandatory footing or change it in some way to acknowledge the issue of after care. I consider this serious because there are risks associated with it, including homelessness. It is difficult to say that a child becomes mature at 18 and capable of watching out for himself or herself. The unintended result of the major scandal in the UK of the baby P case is that social workers are removing children from homes at three times the rate they were doing prior to the case being reported. This is not what we want and everyone agrees on this.

**Senator Fidelma Healy Eames:** That is not the answer.

**Deputy Barry Andrews:** The public hue and cry which followed this case was right and proper in a democracy. However, there is often an overreaction to a particular scandal. I am asked to guarantee that something similar will not happen in Ireland. I cannot guarantee this because we cannot observe every moment of every hour of every day of every child's life. We must ensure people are aware of their obligations. We have a robust set of guidelines, *Children First*, which have stood the test of time as they have been in place for ten years.

The guidelines were reviewed thoroughly over the past two or three years and in July I published a report on them which concluded fairly that gaps did exist. Certain professionals are not aware of their obligations. The one key point about *Children First* is that if a person is concerned about children, he or she should report it to the Health Service Executive. It is as simple as that. However, teachers and others who come across incidents do not report them or are not aware that they are to do so in this fashion. I am doing my level best to ensure people are aware of the guidelines and I will re-publish *Children First* in the coming months.

I am delighted to be in a position to speak about foster care in Ireland. This is a service provision that we do not hear much about on a day-to-day basis. Foster care services do not make headlines in the media like other health and social service provisions. However, on any given day foster carers and relative carers are caring for 4,776 children. This represents 89% of the children placed in the care of the HSE. Although this figure is significant, I am of the view that not enough recognition or credit is given to all those people who are key players in this service and this has been annunciated by a number of speakers.

The UN Convention on the Rights of the Child sets out the principle that in all actions concerning children, the best interests of the child will be the primary consideration. The convention also states that a child should not be separated from his or her parents unless the state is of the view that it is in the child's best interests to do so.

A 2000 publication on foster care states: "Foster care has been subject to a range of influences in its development but it can be seen as one of the early expressions of this recognition of the rights of the child." Families and family life are very important to all children and the opportunity to experience the qualities of family life is one of the main objectives of the National Children's Strategy. The UK Children Act 1908 introduced fostering on a statutory basis for the first time. It has been around for 100 years, which is a considerable length of time.

We are all aware that unfortunately there are times in some children's lives when it is not in their best interests to remain at home. The environment can often be chaotic and harmful and no one is best served by allowing children to remain in situations where they are in some way at risk. Foster care provides the best way for these children to experience family life. It does this by offering care in a family setting in the community either on a short or long-term basis. It allows for many children to form good relationships with committed foster carers and their families.

Another important factor in foster care is that it allows for and actively encourages the inclusion of the child's family during his or her care, where appropriate. In fact, the main aim of staff and foster carers alike is to work towards returning the child to his or her family. We all understand that this is not always a possibility. However, it is important for the services and all those working in them to continually review the situation of the child and his or her parents and to examine whether it is in the child's best interest to return home.

In view of the successful outcomes for children, it is not surprising that foster care and relative care represent the dominant placement options in Ireland. This importance is signified within our legislative and regulatory framework. The Child Care Act sets out specific provisions and regulations for foster care.

[Deputy Barry Andrews.]

To develop and enhance the services, the report of the working group on foster care was published in 2001 and makes a wide range of recommendations to Government. Many of these recommendations have been implemented. The report recommends that discretionary payments made to foster carers be abolished and that the allowances be increased. They have been increased to €325 and €352 for 2009. This increase, small I admit, recognises the importance of fostering and the work undertaken by foster carers. Foster care makes not only social and humanitarian sense, but also economic sense. The cost of providing a foster care placement for a child represents significant savings compared with a residential placement. Although it must be recognised that while it is the aim of the Government and the HSE to reduce the number of residential placements in the interests of children, there will always be a need for a continuum of services, from on-the-ground family support services to the intensive placements in the small number of special care places.

Another key recommendation of the working group is that the standards of practice applied in foster care should be of the highest level. The national standards for foster care along with a children's version were launched in 2003. The standards have a major role in ensuring foster care placements are adequately supported and that children in foster care receive the best possible care. The standards focus on areas such as the quality and consistency of services for children and young people in foster care, standards and practices related to foster carers and guidance to the HSE on how it can meet its statutory obligations effectively. These standards are the main tool for the social services inspectorate, SSI, which inspects foster care services, and the Health Information and Quality Authority, HIQA. Since the introduction of the standards, the SSI has completed a pilot inspection of foster care services, inspections of non-statutory foster care providers and two further inspections of the HSE fostering service in Meath and Dublin. The results of these inspections were in the main very positive with the children receiving a good standard of care by dedicated and committed foster carers and HSE staff.

In December 2005, a piece of research, called *Lives in Foster Care*, was published. I am heartened to see that the study produced positive findings on the daily lives of this young group of foster children in the areas of schooling, friendships and hobbies. The study found that on the whole the young people were leading regular lives. A total of 98% attended school regularly and the majority of them were expected to stay on in school. A total of 92% had regular friends and these friendships were deemed to be beneficial.

Another piece of research, entitled *Counting on Foster Care*, examined foster care in the eastern region of the HSE. In this the motives for fostering encompassed altruism and personal aspirations. This research is a resounding endorsement for involvement in fostering, indicating that foster carers felt that there were significant benefits to be derived from the experience of fostering for the children in their care and for their own families.

The *Lives In Foster Care* research, which I mentioned previously, also highlighted the benefits of relative foster care and the importance of being placed with a birth sibling. The latest available statistics from the HSE show 48% of children in foster care are in relative foster care. At the end of 1998, 635 children were in relative care. By October 2008, this figure had grown to 1,557, representing an increase of 145%. This is a positive development. Looking to the extended family members in the first instance is part of the national standards for foster care.

Foster carers play a crucial role in the lives of children by providing a welcoming place in their home at a vulnerable time in the children's lives. I commend foster carers on undertaking this role. Caring for children is not easy. Caring for children who are not one's own and who



may have experienced traumatic events in their lives is certainly not easy. In recent years with the busy pace of life and with families' time taken up with the increasing demands and pressures of daily living, I am heartened to see that fostering is so active in our society.

Many of these foster carers are members of the Irish Foster Care Association which was established in 1981. Over this period, the association has grown to a membership of more than 1,000 with 28 active branches nationwide. I congratulate the association and thank it for inviting me to its recent annual conference in Trim. I am aware the association provides essential support through its training, information support, conferences and seminars.

The recruitment campaign held in November was very successful. Information resources were made available to create awareness of the fostering campaign. These included——

**Senator David Norris:** I do not mean to rudely interrupt the Minister of State but I wonder whether copies of his speech will be made available.

**An Leas-Chathaoirleach:** That is a matter for the Minister of State.

**Senator David Norris:** That is why I am asking.

**Deputy Barry Andrews:** I apologise for not having copies of the speech to distribute but I will undertake to get them to the Senators as soon as possible.

**Senator David Norris:** The Minister of State is very kind. I do not mean to be obstructive. I just thought he had them and I did not receive one.

**Deputy Barry Andrews:** I understand it is in the best motivation. My apologies. To operate successfully, the nature of our foster care services must adapt and develop over time. In long-term foster care arrangements, many foster carers sought increased autonomy when making day-to-day decisions in regard to the children who had been, in essence, a member of their families for several years. In 2007, an amendment was made to the Child Care Act 1991, the principal purpose of which was to provide that a foster carer who had a child in his or her care for a continuous period of five years could apply for a court order for increased autonomy in regard to the care of that child. This provision received cross-party support and I understand the Health Service Executive is putting in place a protocol regarding its implementation.

Multi-dimensional treatment foster care, MTFC, is a little known but cutting edge aspect of foster care in the State. It is designed to provide treatment in a foster care setting for teenagers with challenging behaviour. These children are usually placed in high support or special care residential settings but some may be more appropriately placed in this type of foster care. MTFC is an evidence-based programme which originated in the United States under practitioners targeting serious and chronic juvenile offenders. The programme involves special training of successful foster care applicants and intensive daily support for them during the six to nine month placement of the young person. An important factor in the success of this programme is the emphasis placed on the involvement of each young person's family or after care resource from the outset.

This programme is in operation in several locations throughout the State. I was pleased to attend the launch of the service provided by Extern Ireland in Mullingar, as well as the Time-Wise Fostering service provided by the Daughters of Charity in north Dublin. The MTFC recruitment campaigns are challenging because the programme involves an intense type of foster care, with a multiplicity of services and 24-hour access to those services. I pay tribute to the Health Service Executive for providing, where possible, this alternative to residential care.



[Deputy Barry Andrews.]

As I said at the beginning of my speech, I am pleased to have this opportunity to inform Members of the significant developments taking place in foster care services. While we often hear negative stories in regard to our health and social services, it is important to highlight the significant and valuable work undertaken on a daily basis by social workers, Health Service Executive managers, foster carers and the Irish Foster Care Association for the benefit of thousands of children.

**Senator David Norris:** I welcome the Minister of State, Deputy Barry Andrews. It is appropriate that he should participate in this debate because he is a caring and sensitive person who will take a direct and immediate interest in these issues. I also welcome the opportunity to pay tribute to those involved in foster care, foster parents and officials, most of whom are doing an extremely good job. Occasionally, however, one hits a snag, as I have learned through the several cases in which I have been involved.

Without providing details that might identify the persons concerned, I will refer to a particularly tragic case in which a young woman who was addicted to drugs had two children and subsequently suffered brain damage after an overdose. The grandparents in this case wished to take an interest in the children but met great resistance in this regard, not from those providing the foster care but from the authorities handling the case. Some of those bureaucrats were young people hardly out of college, the ink fresh on their diplomas, but they presumed to know more than the children's grandparents. Officials must show some sensitivity in such cases. The birth mother was wired up to various machines in an intensive care unit, yet because of some theoretical consideration, it was determined that the two children should be made to visit her once a fortnight. They left screaming because it was clearly a horrendous nightmare for them. There must be a balance between our understanding as human beings and the theory that may be dealt out.

The foster care system in general is creaking along somewhat. I emphasise that I have nothing but the highest regard for those involved in the system, apart from my reservations about the rigid application of academic ideas regarding the welfare of children in obvious defiance of their needs. The Minister of State indicated that there is a lack of data, which is a critical issue. To plan and make provision for the future, it is important that we should have an accumulation of data so that we know what the situation is and how it may best be progressed.

I have been briefed by a group with which I was previously unfamiliar, the Irish Association of Young People in Care, which was established in 1999. There has been some Government involvement with this organisation, with the Health Service Executive providing funding for a two-year project, the children's rights and participation project, under which there has been successful engagement with 1,000 people in the north Dublin area. It has been adopted by Vodafone for sponsorship as one of its particular charities. It seems, therefore, to stand in good repute.

One of the first issues the organisation highlights is the absence of up-to-date data, which it emphasises as vital. The group is optimistic and aspirational in its stated objectives, expressing the view that every young person in care should have an allocated social worker. I am not sure how practical that is within the current budget restraints. It also emphasises the importance of devising and implementing a care plan and that resources should be allocated on the basis of need rather than resources. That is certainly the case in an ideal situation but when resources are limited, tough decisions must be made. Unfortunately, it is not always possible to allocate to everybody on the basis of need alone, particularly in the current economic climate. For that reason, we must make the most efficient use of the resources we have.

The most up-to-date statistics, as far as I am advised, are from December 2005 when there were 5,220 young people in care. Of these, 85.6% were in foster care and 7.6% in residential care. This indicates how vital foster care is within the care system. Some 22% of those in care had been so for less than one year, 42% for one to five years and 36% for more than five years. The percentage of children in foster care is growing all the time. Some 44% of relative foster carers had children placed without approval. That is worrying, as is the lack of information. For example, we do not know how many children have been allocated social workers, nor do we have precise information on the ethnicity of those children. That may not have been an issue in previous generations but it certainly is now and is something that must be clearly addressed.

There are no statistics for the number of young people who exit the system completely at the age of 18, at which time they may be vulnerable. There seems to be no follow-up of such individuals. We must be informed of the outcome for these young persons. We cannot allow them simply to slide off the end of a conveyor belt without some knowledge of the end result. There is anecdotal evidence that children in long-term, stable foster care placements have better outcomes than those with multiple placements. It is vital that the data in this regard are made available. Children do not always stay in the same family grouping but may instead move from time to time. I assume that can be highly unsettling for a vulnerable young person.

There is a lack of up-to-date information on the numbers, roles and locations of social workers. The most recent data, from 2001, indicates there were 1,992 social worker posts with 307 vacancies. Within this figure is a worryingly high annual turnover rate of 18.1%, with health boards consistently reporting difficulties in recruiting. That is another problem. This high turnover of social workers, perhaps coupled with multiple placements, is unsettling for young people. There is no central core of stability in such an arrangement, which is precisely what is missing from these young people's lives.

There is no clear definition of a care plan. What are its objectives? Why is it in place and what should it cover? Very often it is merely a history. It is not a care plan looking to the future but one stating this, that or the other happened and we are now at point X. We should be trying to determine what the results of this historical survey imply and how the system can be improved.

According to national standards, the reviews of a young person's care plan are supposed to occur once every six months in the first two years of care. They are important because they detail issues such as contact with the family and so on.

After care assistance, which I already mentioned, is very important but it must be tightened up. We must bear in mind that over half of the 16 to 17 year olds leaving care do so in an unplanned way. That figure is astonishing. Those young people are vulnerable and in tumult and they leave the system in a way that is not planned for.

There are no data or Irish research on teenage pregnancy that occurs in foster homes and that is worrying.

I find it interesting that the primary reason for young persons being placed in foster care is parental neglect. I want to reflect on that for a moment because sometimes we are lectured about the holiness of the family by what I regard as the more conservative voices in this debate. I came from a family, the same as everybody else, but it is a great mistake to make it just a shibboleth, define it narrowly and not recognise that there are occasions in which the family can be in dereliction of its duty. What about those children? Are they placed in an ideal situation? Should we bow down and grovel to the families that produced these cases of neglect? Should we not be more realistic and say that all these circumstances are human and that the institutions they deal with are human institutions and must be shaped and assisted in the

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interest of the human components and not in the interests of some mythical or ideological concept that makes a totem out of the family.

We must remember that 50% of the children in foster care are in that care directly because of parental neglect. That is not the responsibility of gay people. We are not undermining the family. We are not causing this parental neglect. That is something that exists and it must be taken into consideration as part of the spectrum of human experience in this country.

**Senator Camillus Glynn:** Ba mhaith liom fáilte a chuir roimh an tAire Stáit agus chomhghairdeas a dhéanamh leis as ucht an jab atá déanta aige. Mar a deireann an seanfhocal, áfach, “a lán déanta, níos mó le déanamh”.

I am delighted to have been responsible for putting this motion on the clár of the House this evening. There are a number of reasons for doing so, one of which was to bring the area of child care to centre stage. I am not saying it had not been there previously but five years ago, as chairman of the then Midland Health Board, I was asked to formally launch the Irish Foster Care Association and in the course of a conversation with a number of social workers and others on that occasion, I was made familiar with a number of problems that confronted the Irish Foster Care Association, one of which was the difficulty in recruiting social workers. I am delighted that 100 new social workers are being recruited. I raised that issue in the previous Seanad on a number of occasions and asked that career guidance teachers would exhort young people in education to pursue the social worker occupation as a professional career.

In further conversations with people involved in the area of foster care, I was informed there was an ongoing difficulty with recruiting social workers in the Republic of Ireland, on the island of Ireland and within the British Isles. I understand social workers were recruited from as far away as South Africa. There is a difficulty in that regard and again I would ask career guidance teachers to encourage young people to pursue this profession as a career.

I thank the Leader for agreeing to have this motion on the agenda, having raised it a number of times in the House. I thank Senator Healy Eames for welcoming the motion. We might not all agree with the text but it is an opportunity for all sides of the House to address what we consider to be the problems arising from child care and foster care. The last part of the motion states: “Seanad Éireann further commends the foster carers undertaking this valuable role and supports the Government and the Health Service Executive in their continuous efforts to encourage and recruit new foster carers into the service.”

The ideal place for a child to be brought up is in the home where there is a healthy, caring atmosphere. Foster carers provide that vital service. Care centres are an option I would not favour. That is the reason it is so important to exhort additional people to offer foster care.

At this point I welcome to the Gallery members of the Irish Foster Care Association and Fostering First Ireland. I thank them for their advice, support and concern. The Irish Foster Care Association is an important organisation because foster carers need support and back-up facilities. That is precisely what the Irish Foster Care Association provides. It was formed in 1981 by a group of foster parents and social workers. Although she is not in the Chamber, in a jocose way I can say that Senator Feeney was out and about at that time also. To return to the nub of the problem, it is important we have people with the generosity of spirit shown by foster carers to provide this service.

In a career that spanned over 30 years in the psychiatric services, I have been struck by children who failed the system, or the system failed the children, who found their way into the psychiatric services. That is regrettable. One aspect that impressed me was that people fostered

children with very challenging behaviour and children with a sensory disablement. We should be vigilant at all times that children are protected and cared for to the highest levels of excellence. As those involved in this area are aware, it is the parents who contribute to the formation of the person and influence the child most. That is why it is so important that children grow up in a caring setting, preferably in their own home with their own parent or parents, but if that is not available, with foster parents. Foster parents provide the care and I cannot praise them enough for that.

The Minister of State referred to the amendment to the Child Care Act that gives foster parents certain rights. That amendment is welcome and is an important development. I understand it comes into operation today and, therefore, this discussion is very relevant to that matter.

There is no point in throwing pious platitudes at the Irish Foster Care Association and foster carers. I say to the Leas-Chathaoirleach, the Minister of State and all the Members of this House that in six months' time I will be placing this motion again, with the co-operation of our spokesperson, on the clár of Seanad Éireann because there is too much at stake for children and society. We read in the local, national and international newspapers what can happen when we take our eye off the ball and we should cast ourselves in the role of the busybody or nosey parker in ensuring child safety and security, and ensuring child rights, attain the highest level of our attention.

I appreciate the Opposition has a job to do and good opposition is as important as good government.

**Senators:** Hear, hear.

**Senator Camillus Glynn:** We all need a spur and we all need to be motivated from time to time. In that way, child care and foster caring can generate the most attention because all sides are focused on them. I am privileged to have been successful in tabling this motion on the clár. I thank the Leader and all the spokespersons, particularly Senator Feeney, our spokesperson. This is one of the most important debates to have taken place since I entered the House. I thank the Irish Foster Care Association and the foster carers who are wonderful people. Where would we be without them?

**Senator Paudie Coffey:** I welcome the opportunity to contribute to the debate. I support the Fine Gael amendment. I acknowledge the essential and hard work of the Irish Foster Care Association and of foster carers who are often the unsung heroes in our society. After all, they volunteer their time and energy and that of their families, and they are giving. The word "foster" implies love and care and we must always acknowledge that those carers are willing to provide this service and give their love and care to others.

Families who open their homes to care for these vulnerable children must also be acknowledged. The children would not need foster care if they had not been through a traumatic period in their lives. I refer to my family experience. I am the youngest of five and I am proud that my parents fostered children when I was only aged one or two. They built a life-long relationship with one of the children and it is wonderful and beautiful to see that the child, who is now a parent, acknowledges herself as one of our family. I have witnessed the love that passed from a family that was willing to give to a family that needed love and care at an important time in their lives.

I was contacted by foster parents last year regarding the child benefit issue. In October 2007 legislation was introduced which provided that where a child is in foster care continuously for

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six months, the child benefit will only then be paid to the foster parents for the benefit of the child. However, there are concerns because the payment is still made to the parents of the child for that initial six-month period but the child does not benefit whatsoever. Some people feel the payment should be put in a trust for the future benefit of the child for his or her education or a service he or she might need because the foster parents do not want it. Will the Minister of State clarify the position?

I refer to the lack of services for children with mental health difficulties who have been traumatised during their lives. There are delays in their assessment and treatment and it is essential that the Government addresses this issue and devotes resources and support to these services. It is not good enough that children who have suffered at the most vulnerable time in their lives must go on waiting lists to access essential services, such as counselling, special education support, psychology and social work. Children in those circumstances need the support of the State because they are vulnerable and they have been isolated. The State should stand by them. Their foster parents will stand by them because they have made that sacrifice. We must, therefore, look to the State to support them in that essential work.

I support the amendment in which Fine Gael calls on the Government to work with professionals to address their concerns at gaps in child protection and the provision of services, to ensure the implementation of the Children First principles across the country in a uniform manner and to act upon the concern of organisations at the front line of providing care for vulnerable children and put in place dedicated after care services to enable these children to reach their potential. As Senator Norris said, we cannot afford to leave children in isolation without support when they leave foster care. I am happy to commend the amendment to the House.

**Senator Camillus Glynn:** I thank colleagues for their contributions. The Minister of State has given us good news. One of the core issues relating to foster care is the inadequate number of social workers available to investigate whether children are at risk. That will be addressed, which is a welcome development. I ask the Minister of State to ensure the Department expedites the matter to ensure pending cases are dealt with in the most efficient way possible. I am a grandparent and our children are paramount. They are tomorrow's leaders, industrialists and carers and, therefore, it is absolutely imperative that during their childhood they receive optimum care in a loving and caring setting. Such an environment is provided by foster carers. I cannot say enough to extol what they do and the IFCA provides back-up for them. It is important that carers have support and very often, when they do not, carers become the people who have to be cared for. I commend the motion to the House.

Amendment put.

The Seanad divided: Tá, 16; Níl, 27.

Tá

Burke, Paddy.  
Buttimer, Jerry.  
Coffey, Paudie.  
Coughlan, Paul.  
Cummins, Maurice.  
Doherty, Pearse.  
Donohoe, Paschal.  
Fitzgerald, Frances.  
Hannigan, Dominic.

Healy Eames, Fidelma.  
Norris, David.  
O'Reilly, Joe.  
O'Toole, Joe.  
Ross, Shane.  
Twomey, Liam.  
White, Alex.



## Níl

Boyle, Dan.  
 Brady, Martin.  
 Butler, Larry.  
 Callely, Ivor.  
 Cannon, Ciaran.  
 Carty, John.  
 Cassidy, Donie.  
 Corrigan, Maria.  
 Daly, Mark.  
 de Búrca, Déirdre.  
 Ellis, John.  
 Feeney, Geraldine.  
 Hanafin, John.  
 Keaveney, Cecilia.

Leyden, Terry.  
 MacSharry, Marc.  
 Ó Domhnaill, Brian.  
 Ó Murchú, Labhrás.  
 O'Brien, Francis.  
 O'Donovan, Denis.  
 O'Malley, Fiona.  
 O'Sullivan, Ned.  
 Ormonde, Ann.  
 Phelan, Kieran.  
 Walsh, Jim.  
 White, Mary M.  
 Wilson, Diarmuid.

Tellers: Tá, Senators Maurice Cummins and Frances Fitzgerald; Níl, Senators Déirdre de Búrca and Diarmuid Wilson.

Amendment declared lost.

Question put: "That the motion be agreed to."

The Seanad divided: Tá, 28; Níl, 17.

## Tá

Boyle, Dan.  
 Brady, Martin.  
 Butler, Larry.  
 Callely, Ivor.  
 Cannon, Ciaran.  
 Carty, John.  
 Cassidy, Donie.  
 Corrigan, Maria.  
 Daly, Mark.  
 de Búrca, Déirdre.  
 Ellis, John.  
 Feeney, Geraldine.  
 Glynn, Camillus.  
 Hanafin, John.

Keaveney, Cecilia.  
 Leyden, Terry.  
 MacSharry, Marc.  
 Ó Domhnaill, Brian.  
 Ó Murchú, Labhrás.  
 O'Brien, Francis.  
 O'Donovan, Denis.  
 O'Malley, Fiona.  
 O'Sullivan, Ned.  
 Ormonde, Ann.  
 Phelan, Kieran.  
 Walsh, Jim.  
 White, Mary M.  
 Wilson, Diarmuid.

## Níl

Burke, Paddy.  
 Buttimer, Jerry.  
 Coffey, Paudie.  
 Coghlan, Paul.  
 Cummins, Maurice.  
 Doherty, Pearse.  
 Donohoe, Paschal.  
 Fitzgerald, Frances.  
 Hannigan, Dominic.

Healy Eames, Fidelma.  
 Norris, David.  
 O'Reilly, Joe.  
 O'Toole, Joe.  
 Regan, Eugene.  
 Ross, Shane.  
 Twomey, Liam.  
 White, Alex.

Tellers: Tá, Senators Déirdre de Burca and Diarmuid Wilson; Níl, Senators Maurice Cummins and Frances Fitzgerald.

Question declared carried.

**Senator Frances Fitzgerald:** On a point of order, I understood it was the convention in this House that the proposer of a motion would be here for its conclusion and would respond to the debate. Is that not the convention in this House? It did not happen tonight. It is very disappointing that the Government could not provide speakers for this important motion, which they put on the Order Paper.

**An Cathaoirleach:** If the mover of the motion is not present it is in order for another person from that group to——

**Senator Camillus Glynn:** Actions speak louder than words.

**An Cathaoirleach:** I am asking the Leader when it is proposed to sit again.

**Senator Frances Fitzgerald:** On a point of order——

**Senator Paschal Donohoe:** I have my hand up for a point of order. We spent a lot of time asking that issues, such as the Lisbon treaty and the economy, be debated. We have 30 minutes left of our session——

**An Cathaoirleach:** It is not up for discussion. It is not a point of order.

### **Adjournment Matters.**

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### **Care of the Elderly.**

**Senator David Norris:** I have been briefed on this issue by a constituent and I rely on the brief to establish the facts. It is about a residential facility in County Carlow, a part of Ireland known to the Minister of State and me. It is a 30-bed HSE residential care facility that looks after elderly people in the Carlow area, with ages ranging from 70 to 97. They are elderly people and, to a certain extent, they are vulnerable. The money for this facility was generated over many years by the subscriptions and donations of charitable persons and is an expression of the care that the community in the area provides for its elderly people.

On Friday, 12 December, a HSE official visited this facility and the residents understood her to indicate that it would be closed in the new year. I was not present so I cannot say absolutely that she said that. The residents certainly understood that she said it and they became greatly distressed. The grandson of one of those relatives contacted me about the matter. No clear explanation was given as to why this closure should take place. The residents were left distressed and unclear about their future residential care needs. The residents' carers and relatives were left dazed, picking up the pieces as a result of this.

A very confusing statement was issued by the HSE, which stated that it confirmed that from Monday, 15 December, its 12-bed rehabilitation ward in Sacred Heart Hospital in Carlow will reopen and will return to full operational status. It also stated that it was not holding a meeting that day "with regard to the future". That means "yes, it is not", which is very odd. The situation is very confusing and I hope the Minister of State can clarify the issue.

Apart from the distress and anxiety caused to the residents, a relocation of this kind has very serious psychological and other impacts on people. Moving house can be a very traumatic event for somebody who is well and it has been known to create fatalities in well balanced and apparently healthy people. Therefore, people in the 70 to 97 age bracket may also be confused about this because it is an appalling prospect for them. My constituent told me that he contacted HSE officials, who confirmed that it is under review. The area health manager denied that any

such statement was made, but then admitted that she was not actually in the room. Therefore, she is not in a position to deny or confirm what was said. Neither am I, but the residents certainly had that impression.

I have a series of questions to ask and I understand that the Minister of State is addressing the issue in advance of these questions. Were 26 vulnerable elderly people told by a HSE official that their home would be closing in 2009, and, if so, why? We know that this type of facility is subject to a review. This may be prudent, and we all remember the Leas Cross case, where it was proper to inquire into the dangerous situation for the residents there. Are there real causes of concern here? What are they? Does this review exist already? When will it be published? Who carried it out? What are the implications for the residents? Will the HSE reassure all the elderly residents in the facility that their future residential health care needs are not in jeopardy?

I know the midlands and I know Carlow fairly well, and I rather like it. Rumours spread in a small community and there are rumours that the situation emerged not because of a deficiency in the home, but because there was the possibility of a sale of the land involved to a large retail outlet so that a car park could be created that would generate money for central funding. That would be scandalous if it was the truth.

Is the closure of the facility to be temporary or otherwise? What are the choices in front of the residents? Will the HSE put forward a plan to minimise the distress and disruption involved? Is this really about financial rationalisation? What provisions are being made to secure the jobs of the team of nurses who are there already and who have a familiarity and relationship with these elderly people? Very often, such relationships are necessary as they represent a lifeline for elderly people.

Many questions need to be asked about this. Elderly people were certainly put in a panic by the proposition that their residential accommodation may be removed. I would like to establish the facts and then see what can be done. How can these people and their carers be reassured?

**Minister of State at the Department of Health and Children (Deputy Máire Hackett):** I thank Senator Norris for raising this issue. It provides me with an opportunity to outline to this House the background to the current situation and the action taken by the HSE, and to reassure the older people concerned about the future.

I have been informed by the HSE that it has not made a decision to close the facility. Government policy on older people is to support people to live in dignity and independence in their own homes and communities for as long as possible. Where this is not feasible, the health service supports access to quality long-term residential care when appropriate, and we continue to develop and improve health services in all regions and to ensure quality and patient safety. The safety and well-being of older people living in nursing homes is of critical concern.

Quality care and patient safety comes first and all patients should receive the same high standard of quality-assured care. Our primary focus has to be on patients. Each hospital, each local health office, managers, clinicians and others working in the health services have a responsibility to ensure that they provide the best possible service to patients and to other clients of our health services.

Under the Health Act 2004, the Health Service Executive has operational responsibility for the delivery of health and social services. This includes facilities such as Bethany House. Bethany House is a welfare home which opened in the 1970s. It is currently operating as a 30-bed unit, which consists of 28 residential beds and two respite beds. There are currently 25 long-stay residents, with one long-stay admission to the facility in the past six months. Reviews are essential to ensure that resources are appropriately channelled and that the changing needs

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of older people are suitably addressed. The HSE commissioned a review of elderly services within the Carlow and Kilkenny region in 2006. This review, which included Bethany House, was conducted in 2007. The report was received by the HSE in early 2008 and is under consideration.

In recent days, Bethany House has been the subject of media speculation and local rumours that the facility faces closure. No such decision has been made. The Department has been advised that the review is under consideration by the HSE and no definite decision has been made. However, as soon as a decision is made on Bethany House, residents and those directly affected will be the first to be informed.

Following those recent reports, the HSE has taken a number of positive steps to allay the concerns of residents and staff. Senior HSE officials have met all residents and staff to discuss the speculation and to answer any queries or address any concerns they may have. As I said, no decisions on the future of Bethany House have been made. However, the HSE continues to work closely with the home to address the concerns of residents.

**Senator David Norris:** I thank the Minister of State for addressing the situation. I accept that she is not personally responsible for the inadequacy of her reply. She might not be in a position to agree with me, on the record, that it is inadequate. The reply she read made it clear that the HSE has not made a decision to close the facility. However, the HSE has not made a decision to keep it open either. The indecision in this case is leaving elderly people in a real quandary, which is an appalling prospect for them at this stage of their lives. The Minister of State has acknowledged that a report was commissioned. Almost a year has passed since it was received, but no decision has been made. When will the report be made public?

Can the Minister of State obtain for me written answers to the questions I have asked? I accept that ministerial replies to Adjournment matters are prepared before specific questions are made available. I understand that to be the form of this House. I would be very grateful if the Minister of State could arrange for the questions I have asked, which will be reproduced in the Official Report, to be answered. Will the Bethany House facility be kept open? If not, when will it be closed? When will the report be made public? When will it be acted upon? These questions need to be answered if relatives, patients and staff are to be reassured.

**Deputy Máire Hctor:** All I can do is read the statement that is given to me. To be fair to the HSE, if it has not made a decision, I accept that and I ask the Senator to accept it. I appreciate the power of suggestion; it can have a great impact. I hope those who are worried are worrying unnecessarily. Do I recall correctly that the Senator's questions related to whether the people in question have been told what is to happen and when they can expect a clear and definite decision on the future of the house?

**Senator David Norris:** Yes. I also asked the Minister of State to find out who wrote the report and when it will be published.

**Deputy Máire Hctor:** I will get back to the Senator in writing on those questions.

**Senator David Norris:** I thank the Minister of State. She is very good. I appreciate that very much.

#### **Social Welfare Offices.**

**Senator Jerry Buttimer:** I thank the Chair for allowing me to raise this issue. I welcome the Minister of State, Deputy Hctor, to the House. There has been a significant increase in the

number of people claiming social welfare payments. This exponential increase is affecting those seeking assistance and the staff of our social welfare offices. I pay tribute to the staff in question, who are very personable, honourable and up-front, by and large, as they help people. They are a pleasure to work with and work for. The manner in which social welfare claims are processed is a matter of great concern to everyone involved in public life because it has an impact on people.

I would like to paint a picture for the House in that regard. A constituent of mine, who I do not wish to name, recently e-mailed me to explain his frustration in this area. He stated:

I was let go two weeks ago and signed on. I rang the social welfare office and they said that there is a six week backlog. How am I to survive with no money for the next month? It is a disgrace. My rent is due next week. Luckily I have enough to cover that. After that I have nothing — I mean nothing. So many people are in the same boat. The Government needs to act swiftly to help people this Christmas and emergency staff need to be brought in to clear the back log over the next ten days. This has to be done. What sort of Christmas will the people of Ireland have?

The man who sent me that e-mail is one of many ordinary citizens who are suffering the indignity of losing their jobs and having to sign on. I had the unpleasant experience of having to sign on in 1986 and 1987. I had to go to hatch 4 in the old labour exchange in Cork to claim a miserly £49 a week.

In response to a recent Dáil question tabled by my colleague, Deputy Enright, the Minister for Social and Family Affairs, Deputy Hanafin, said that an additional 115 staff, at clerical and staff officer level, are to be assigned to these duties and arrangements are to be put in place for them. Looking at the data supplied, it seems that not one of the 115 staff in question has been assigned to the city of Cork. I am open to correction on that, and if I am wrong, I will stand corrected. As things stand, people have to ensure a six-week interregnum.

When I spoke on the telephone with a very nice person in the social welfare office in Cork, I was informed that people waiting for their welfare payments to be processed should contact their local community welfare office for assistance. That is not good enough in this day and age. As the number of people claiming social welfare benefit increases, more and more people are suffering under pressure. Fundamentally, we are dealing with people, women and men, some of whom have families, are single or are separated. Does it suffice to tell such people that there is a six-week minimum interregnum before they can get any money or help?

I look forward to hearing the Minister of State's response. I hope she will have good news for people. As we approach Christmas week, we need to help people by reallocating more staff to work on the processing of payments. I have read from a heartfelt e-mail written by a man who had a job until he lost it a month ago. He wants to get on in life, but he is suffering. It is more than disappointing that we treat such people with disrespect in some cases — it is a disgrace and it is outrageous. I do not subscribe to the view that all Ministers are so out of touch that they do not know what is happening. It is clear from some of the comments she has made in other forums that the Minister of State, Deputy Hootor, certainly knows what is happening. I appeal to the humanity of Ministers who can help people in the circumstances to which I have referred. Such people deserve to be treated properly by the State.

**Deputy Máire Hootor:** I will reply to this Adjournment debate on behalf of my colleague, the Minister for Social and Family Affairs. The Department of Social and Family Affairs is committed to providing a quality customer service. That involves ensuring that applications are processed and decisions on entitlement are issued as expeditiously as possible, having regard to the eligibility conditions that apply. The number of claims being made by jobseekers



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throughout the country has increased significantly since the beginning of the year. Some 442,393 claims were received in the week that ended on 12 December 2008. As 296,217 claims were received at the equivalent time in 2007, the level of claims has increased by over 66%.

Every effort is being made to process as quickly as possible claims that are awaiting decision in Cork city and county. There is a focus on the prioritisation of work and the assignment of additional resources, including staffing and overtime. In recent weeks, a central unit has been established in Dublin, with staff being diverted from other work, to maximise the number of claims that can be paid before Christmas. There is a concentration on those offices with the highest volumes of claims awaiting decision. Some claims from the Cork area are being decided in this unit. Processing times vary between offices. The overall performance of any office in processing claims can be adversely affected by a wide variety of factors, including increased inflow of claims, staff vacancies and the duration of such vacancies and the turnover of staff in the office.

On foot of the increased number of claims for jobseeker payments, the Department undertook a review of staffing levels in local offices in May and June of this year. The review resulted in the assignment of 31 additional staff to 15 local offices. Following the most recent review of staffing levels in local offices, it has been decided to assign 115 additional staff to such offices. The separate staffing exercise that was carried out in Cork took into account the opening of a new office in Carrigaline. The personnel section of the Department of Social and Family Affairs is sourcing staff for the offices in Cork and other local offices. Additional staff will not be recruited to the Civil Service to fill the identified shortfall in social welfare local offices. Staff will be sourced from within the Department of Social and Family Affairs and other Departments. Every effort is being made by the Department to bring the staff numbers in the Cork and Carrigaline offices up to the required levels, thereby ensuring that delays in processing claims are kept to an absolute minimum.

**Senator Jerry Buttimer:** I thank the Minister of State for her reply. I appreciate the context of the reply. There is a five-month delay in the processing of additional staff. While I appreciate that this is not the Minister of State's Department, I ask her to impress on the Minister, Deputy Hanafin, the need to help hard-pressed people who are under siege, especially as we approach Christmas week. I am sure there are similar cases in the Minister of State's constituency. We have let people down. The reply refers to May or June of this year. For five or six months no resources have been put in place despite the promise and rhetoric. However, I thank the Minister of State for the reply.

**Deputy Máire Hctor:** The Senator is probably also aware of the availability of resources through the community welfare officer who will always ensure people do not endure hardship in the interim before the claim is properly processed. I am obviously speaking to the converted here, but that is another area. Nevertheless, I will address this issue and bring it to the attention of the Minister, Deputy Hanafin, on the Senator's behalf.

**Senator Jerry Buttimer:** I thank the Minister of State.

### **Schools Patronage.**

**Senator Frances Fitzgerald:** I thank the Cathaoirleach for the opportunity to raise this evening the need for the Minister for Education and Science to outline his response to a request from Educate Together to be recognised as a patron of second level schools. I welcome the Minister of State to the House.

Educate Together schools have emerged throughout the country. The first such primary school opened its doors in Dalkey 30 years ago and there has been a long campaign by parents. When they began this educational project 30 years ago they envisaged that in time this ethos and access to education of a multi-denominational nature would be extended to second level. They believe parents should have choice in education. There are insufficient second level school places in the Lucan area. We have five Educate Together primary schools within a two-mile radius, but no Educate Together secondary school. The parents very much want to have that option for their children. They want to provide the pupils of the five Educate Together primary schools in Lucan with a secondary school in the area. They want to provide a centre of excellence in both learning and teaching. They want the ethos of their primary schools to be continued into secondary schools. They feel very strongly about this.

There is great demand for Educate Together schools in Lucan for the modern equality-based model of education. By 2010 more than 150 children will leave Educate Together primary schools to seek second level places. This number may rise to 300 by 2014. The campaign for a secondary school dates back approximately seven years. There was tremendous demand and approximately 1,500 children were placed on a waiting list for a proposed secondary school. However, it then became clear that there would not be a secondary school and the campaign stopped at that point. However, it has begun again with a group called the Lucan task force, which has the full support of the Educate Together national office.

I ask the Minister of State to outline the Department's approach. I know the Minister for Education and Science recently met some representatives of this group. They made their case for patronage at second level. I seek a response regarding my local area in Lucan and nationally. People would like to hear the Minister's views on the future of patronage of secondary schools. I hope the Minister of State will bring some clarity to the Minister's approach to this topic.

**Deputy Máire Hackett:** I am taking this matter on behalf of the Minister for Education and Science. I thank the Senator for raising the matter as it affords me the opportunity to outline to the Seanad the current issues surrounding recognition and patronage in general and the position regarding the request from Educate Together to become a patron of second level schools in particular.

The Department of Education and Science is examining the application from Educate Together in the context of second level education, the Education Act and the Department of Education and Science regulations on patronage at second level. Section 6 of the Education Act 1998 sets out the objectives of the Act, one of which is "to promote the right of parents to send their children to a school of the parents' choice having regard to the rights of patrons and the effective and efficient use of resources". The Act also sets out the functions of the Minister. Section 7 provides that in carrying out those functions the Minister will have regard to the available resources and to the need to reflect the diversity of educational services provided in the State. Education legislation therefore requires that the diversity of educational provision in the State is taken account of, and the right of parents to send their children to a school of their choice is respected within the context of available resources.

In recent times, the rapid pace of social and demographic change in Ireland is reflected in a radically altered and more diverse society from which our school communities are drawn. Added to this, it is expected that enrolments at second level will increase significantly from the 2007 enrolment of 335,126 pupils. As the Senator will be aware, a new model of primary school patronage is being piloted in response to changing societal circumstances. The pilot primary community schools, which opened in September 2008 and which come under the patronage of County Dublin VEC, aim to provide education for diverse denominational groups, reflecting

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parental choice and based on an ethos of inclusion and respect for children of all faiths and none.

This new primary model provides a valuable new option in ensuring that our school system is responsive to parental choice. In ensuring that the range of patronage models, new and existing, collectively achieve this, it is important to build on ongoing dialogue with the education partners in encouraging a wider public discussion of the issues involved. In this context, the Minister for Education and Science recently announced a review of the procedures for the establishment of new primary schools under the Commission on School Accommodation. The Minister established a technical working group under the commission to undertake a full review of the criteria and procedures for the recognition of new primary schools. This working group is meeting this week and will report to the steering group under the Commission on School Accommodation. It is expected that the review of procedures for recognising primary schools will be completed and the revised arrangements will be in place within a two-year timeframe.

In the interim it is not proposed to recognise any new schools except in areas where the increases in pupil numbers cannot be catered for within existing schools and which require the provision of new schools. This means that new schools will not be established for reasons not related to demographic growth in areas where there is already sufficient school accommodation or where increases can be catered for by extending existing school accommodation. It is proposed that locations where new schools are required for the coming years will be identified by the Department of Education and Science and the details circulated to all existing patron bodies.

Given the current climate of an increasing student population and moves towards diversity in education, it is also timely to examine the broad issues of patronage at second level. The Department of Education and Science is, therefore, considering a number of issues relating to the recognition process for second level schools. The application from Educate Together to become a patron body at second level will be considered within this context. Once again, I thank the Senator for providing the opportunity to address the House on this matter.

**Senator Frances Fitzgerald:** I thank the Minister of State for her reply. My query relates to the timeframe for the process the Minister has under way. If the Minister of State does not have the information with her, perhaps she will communicate with me about it. Is there a timeframe for completion of this study to allow a decision to be made? When is it likely that Educate Together will hear from the Minister?

**Deputy Máire Hctor:** I will do that and come back to the Senator in writing.

The Seanad adjourned at 7.10 p.m. until 10.30 a.m. on Thursday, 18 December 2008.