



# SEANAD ÉIREANN

---

*Dé Máirt, 23 Márta 2010.*  
*Tuesday, 23 March 2010.*

---

Chuaigh an Cathaoirleach i gceannas ar 2.30 p.m.

---

*Paidir.*

*Prayer.*

---

## **Business of Seanad.**

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

The need for the Minister for Transport to outline his policy on the provision of a 24-hour sea-air rescue service for the south-east region by the Coast Guard helicopter crew based at Waterford regional airport.

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

The need for the Minister for Health and Children to make a statement on the plans she has to combat obesity.

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

The need for the Minister for Health and Children to take steps to ease the moratorium to replace retired nursing staff so as to avoid loss of life.

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

The need for the Minister for Health and Children to clarify, in respect of laboratory medicine services, her commitments in Dáil Éireann on 8 December 2009 and to revisit her plans for the modernisation of laboratories.

I regard the matters raised by Senators Coffey, Buttimer and McFadden as suitable for discussion on the Adjournment and they will be taken at the conclusion of business. I regret that I have had to rule out of order the matter raised by Senator Mullen, as it was replied to in a similar motion on 23 February.

## **Order of Business.**

**Senator Donie Cassidy:** The Order of Business is No. 1, Energy (Biofuel Obligation and Miscellaneous Provisions) Bill 2010 — Report Stage, to be taken at the conclusion of the Order of Business, and No. 2, statements on mental health — A Vision for Change, to be taken at the conclusion of No. 1 but not before 5 p.m. and to conclude not later than 7.30 p.m., on which spokespersons may speak for 12 minutes and all other Senators for seven minutes and Senators may share time, by agreement of House, and with the Minister to be called upon ten

[Senator Donie Cassidy.]

minutes before the conclusion of the debate for closing comments and to take questions from leaders or spokespersons and give answers, if appropriate.

**Senator Frances Fitzgerald:** Today the much anticipated Cabinet reshuffle takes place. The Taoiseach will obviously fill the vacancies by promoting backbenchers and change some responsibilities but the truth is that the reality will continue for the people tomorrow. The reality is that the Government has failed to lead. Nowhere is that more obvious than in what is happening outside the passport office which is simply unacceptable. There is a backlog, panic and upset. A woman left Wexford at 3 a.m. to try to ensure her son would be able to go on a school trip. A family which saved hard-earned money to go on a holiday has now been thrown completely into disarray. I propose an amendment to the Order of Business to ensure the Minister for Foreign Affairs, Deputy Martin, will come into the House today to outline the action he intends to take. This situation cannot go on; a solution must be found. I have to ask what the public sector unions hope to achieve with this action which is impacting badly on the public but it has been ongoing for nine or ten weeks.

Everyone in the House is familiar with the queries about medical cards which are not being answered and aware that people are waiting to hear about social welfare payments which are being delayed. We have to remind ourselves how this happened. It happened because of a breakdown in the negotiations between Fianna Fáil, the Green Party and the unions before Christmas. What has the Government been doing since? What is being done to deal with this backlog? We are talking about 40,000 applications, social welfare offices that are not responding to representations and county councils that cannot answer the telephone. This has been going on for nine to ten weeks and I am concerned about the frontline services affecting our citizens. I want to hear what the Minister has to say about it today.

The unions have reminded us that their members earning under €30,000 had money taken from them while senior civil servants had money given back to them. This emanates from the inequitable budget which has totally fuelled what has been going on in recent weeks.

**Senator Joe O'Toole:** It is fair to comment on what is going on in the Passport Office. As someone from a strong trade union background who has frequently voiced an opinion on such matters, I believe this action should be suspended on the grounds that it is strategically daft.

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

**Senator Joe O'Toole:** I do not believe it is achieving what it sets out to achieve. Having said that, I completely agree with the objectives of the people taking industrial action. I remind the House that before Christmas many of us on this side of the Seanad and indeed some Members on the Government side such as Senator MacSharry, called for talks on a regular basis to hammer out an agreement. Many backbenchers, including Fianna Fáil Members, told the Government to walk away from it, so it got what it wished for. Remember, when the budget came out, we said these lower paid civil servants were being very poorly treated, and we should not forget that. Let us also keep remembering that while all this is going on in Molesworth Street, as the Minister, in fairness, said on the radio this morning, this is the most efficient Passport Office of any capital city in Europe. That is the truth of the matter. That is what we had and it is what we walked away from.

I hear people asking why they do not have the decency to go on strike. Such people will get their strike as soon as they want it. It will happen, and then we shall see where we stand. If the fire services goes on strike people will have to find something new to say, such as "sack them". There are people who would, strategically, welcome the Government sacking people

now. That would allow people without a strategic purpose on the other side to move this forward. The reality is that unless a deal is hammered out and agreed, there will never be peace. People in this House have been saying this for months, including my colleague, Senator Buttimer, and others in all parties. Rather than saying, in effect, “let them go on strike” or “have them sacked” or “let’s take on this crowd”, there is one simple question to be answered, namely, where we are all going to be when the music stops. We are heading into serious trouble and as with any other issue it can never be solved with brute force from either side.

Whereas I have difficulty as regards what is going on in the Passport Office, I have complete sympathy with the objectives of the people taking industrial action. I do not believe they should be going about it this way, but I understand their frustration and objectives. Bear in mind that it is not just those workers, but also the fire service, the police, nurses and all the different groups that have to be heard, one after another. To hark back to what we heard in the bars, lounges and among ourselves two months ago, about there being no appetite for strike in the public sector and so they should be taken on, of course there was no appetite for strike. Nobody wants a strike, but they will if they believe they are being trampled on. They believe they have been badly treated and a deal is on offer to the Government in Government Buildings. I again appeal to the Government to show leadership and take the risk involved in such an initiative towards ensuring a calm and peaceful public sector which delivers efficiency, productivity and good value to the taxpayer. That is on offer now to the Government and it should accept it.

**Senator Ivana Bacik:** I second Senator Fitzgerald’s motion calling for an amendment to the Order of Business, to have the Minister for Foreign Affairs in here today. It is an urgent matter. Cycling in here today I met some of the many people who had been queuing all morning outside the Passport Office. They were outside it, as it happens, at 1.30 p.m. today because of a bomb scare. There has also been a flood, apparently, machines broken and disbelief, anger, frustration and great distress being caused to many people whose holidays have been cancelled or who have missed important business appointments, jobs and a great deal of money as a result of the delays. I add that the Labour Party leader, Deputy Gilmore, has asked for the CPSU to suspend its industrial action. I also believe, as Senator O’Toole has said, there is immense frustration among the low paid public sector workers who have seen their pay cut twice in the past year by the Government. They have seen the Government allow negotiations with the unions to break down at the eleventh hour. There is immense frustration and anger among those low paid public sector workers whose concerns also need to be taken on board.

While the action of the public sector unions is not gaining them a great deal of support among the public and the strategy needs to be examined, their objectives are very understandable. We need to hear from the Government what it intends to do to ensure this chaos does not worsen and that the thousands of people who have been disadvantaged — the 22,000 social welfare recipients whose payments have been delayed and the 40,000 people awaiting passports — are not joined by countless others who will also suffer further disadvantage if this crisis in our industrial relations system is allowed to continue.

The Government has relied on social partnership for a long time but has now allowed it to break down. On top of the financial chaos we are seeing with regard to the banks and the failure to regulate sufficiently in the financial services sector, we are seeing a real failure of regulation at the industrial relations level. We need to have that bigger debate as well as a debate today with the Minister for Foreign Affairs on the passport crisis.

I also ask for a debate on jobs — jobs for people generally in this country on a day when we are looking at jobs for the boys among the Green Party members of the Government, and perhaps a job for the girl too, if Deputy White gets a junior Ministry.

**An Cathaoirleach:** This is questions to the Leader.

**Senator Joe O'Toole:** She is right, though.

**Senator Ivana Bacik:** There seems to be an unjustified emphasis on jobs for a very small number of members of the Green Party parliamentary party when we should be focusing on the many tens of thousands of people who have lost their jobs and those who are facing pay cuts and uncertainty in their future as a result of this Government's mismanagement of our economy. That is the debate we should be having today.

**Senator Jerry Buttimer:** On planet Gormley.

**An Cathaoirleach:** No interruptions, please.

**Senator Cecilia Keaveney:** I add my voice to the calls for the situation in the Passport Office to be resolved. I know of the case of a person who applied ten weeks ago and, when an inquiry was made two weeks ago, the Passport Office told the person it did not know where the application was and that the person should apply again. The person is going on holidays next week and thought ten weeks notice was sufficient given we are being told 20 days is the current turnaround.

I wish to raise an issue which also concerns the discommoding of the public on this island but which is not getting a fair airing. I ask the Leader for a debate on republicanism and what it means to be a republican. Those who are called dissident republicans are creating terror across Ulster. On Friday, one could not go anywhere in Derry without getting involved in some sort of scare. At present, no one can travel between Belfast and Dublin without impediment owing to a device that has been in place since Friday. When members of the PSNI, which we all voted as the new police service of Northern Ireland, went to deal with the device, they were shot at.

We have been talking about the discommoding of people going abroad on their holidays or business. While I agree it is a serious issue, people on this island, old and young, are being discommoded when travelling for business or pleasure and must get on and off buses and trains or drive their cars not knowing whether they are safe or unsafe. People driving around a town, trying to get from A to B, collecting children from school, shopping and trying to do their business do not know whether they will be safe. In addition, a device was found today in Molesworth Street.

I ask that we evaluate what type of republic we are looking for. Do we want a republic where those who are undemocratic are allowed to run rampant or do we want a republic where everyone is treated with equality, respect dignity and democracy?

**Senator Paul Coghlan:** I strongly support the call of Senator Fitzgerald and others that we would hear from the Minister today in regard to the situation that has arisen in the Passport Office. We are all aware that the system cannot cope with this backlog of 40,000 applications and, as a result, we have an emergency situation.

The right of the citizen to a passport is an entitlement, not a privilege. We are interfering with the citizen's constitutional right to travel. There is ministerial responsibility on this issue, as there has to be. I understand the Minister has the power to issue emergency travel certificates for anyone whose passport is out of date or who does not have the necessary passport at this time. We know there are 40,000 people without passports and needing to travel. The Minister must put in place immediately a mechanism to allow for the issuance of such documentation to allow citizens the right to travel freely, a right which is constitutionally guaranteed. We must

hear the Minister today and these certificates must be issued immediately to end the growing deep frustration which is not a situation we want to see on our streets. As Senator O'Toole and others have said, there are other issues involved and these must be dealt with but I ask the Leader to bring the Minister to the House today to have this out among ourselves and get it sorted.

**Senator Ann Ormonde:** I agree with all the points raised on the passport issue. It is a disgrace that so many people who are trying to obtain their passports are losing money in the process. I ask them to abandon their protest while the talks are in progress. I am not sure we will be able to get the Minister to come to the House today. I would love him to come to the House today if at all possible but it must be borne in mind that he cannot be called at a moment's notice to come in here——

**Senator Jerry Buttimer:** He can go on Pat Kenny's programme no bother.

**An Cathaoirleach:** No interruption.

**Senator Jerry Buttimer:** He is afraid of us in here. He might be sacked.

**Senator Ann Ormonde:** He has already spoken out on the issue and will speak out again. He will come to the House today if it is possible.

*(Interruptions).*

**Senator Ann Ormonde:** I ask for a debate at another time on reform of the leaving certificate curriculum. I refer to a very interesting article in today's newspaper. We must question whether the curriculum is suitable for the educational needs of today and I do not believe it is. We do not know how to change the leaving certificate. We should use this Chamber to discuss the future, IDA's Horizon 2020, strategies and entrepreneurial skills. The new breed of graduates are not able to cope with the transition from leaving certificate to third level education because they are not properly prepared. This is not the fault of teachers. We have become comfortable with the leaving certificate and it has stood the test of time but I question whether it is suitable for Irish society and the types of jobs required in the future. I suggest the House plans for an ongoing discussion on this issue because it will not be settled overnight by means of one debate.

**Senator David Norris:** Although I am a stout trade unionist I am very much inclined to agree with my colleagues——

**A Senator:** The Senator is not that stout.

**Senator David Norris:** The prospect of people queueing in very difficult circumstances, sometimes tragic family situations, and being treated by all accounts from live radio broadcasts in a manner that could only be described as completely bolshie, is appalling. It shows a contempt for the public. They are very foolish because they need the public on their side and their action is not actually exerting any influence on Government but is making a lot of people very miserable. This is not just the case in the Passport Office. I ask the Leader to raise a matter with the Minister.

Not long ago, a number of us raised the matter of the Jack and Jill Foundation on foot of a very powerful briefing we received from Mr. Jonathan Irwin and other executives. They made a very strong case for increased State support. The foundation's support has been cut back by nearly €40,000, a total of 6.5%, on a value for money basis, despite the fact there has been an

[Senator David Norris.]

independent professional report showing the foundation is excellent, unmatched and unrivalled value for money. I wrote an urgent letter to the Minister and I received this reply.

Dear David,

I wish to thank you for your recent letter on behalf of Mr. Jonathan Irwin...I regret to inform you that due to industrial action the Minister is not in a position to provide a substantive response to your correspondence. If this matter continues to be of concern to you, however, the Minister invites you to raise it with her again in due course.

This is outrageous, in my opinion. This is an urgent matter. The Minister is incapable of dealing with it because of industrial action. In other words the Government has been paralysed. In urgent situations this should not be allowed, there must be a degree of flexibility. I know people were reported as working to rule and being on a go-slow. I wish to God I could go on a go-slow, I certainly do not seem to be able to in this House or in my office, where I am chained to my desk.

**Senator Terry Leyden:** I would like to add my voice to those calling for a lifting of the go-slow. The passport service is second to none, and everyone in the House has received a tremendous service from the Passport Office over the years. I hope it can get back to full capacity and get the emergency passports, in particular, out immediately. I am inundated, as all of us are, with calls and requests for passports for serious cases. I hope that the staff will see sense and return to full working. I ask the union to call the go-slow off.

Will the Leader of the House arrange for a confidence debate in this House? This House provides a tremendous service to the people. There are 60 Members of the House who are working to ensure democracy is retained. We scrutinise legislation here and give a good account of our stewardship. I served in the other House and as a Minister of State and I found this was the most effective place to amend legislation in a positive way. The expertise in this House cannot be got in any other House because of the way it is structured. Other countries in Europe — France, Britain, Germany, the US, Canada, Belgium, Spain, Poland, Italy, the Netherlands and Japan — all have two chambers so why should we——

**An Cathaoirleach:** A question for the Leader.

**Senator Terry Leyden:** It is a very important question.

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

**Senator Terry Leyden:** I have the Cathaoirleach's sympathy in this case.

**An Cathaoirleach:** The Leader will reply in due course.

**Senator Terry Leyden:** The Cathaoirleach will display leniency and allow me to speak for longer because I know it is an issue that is close to his heart.

Last Saturday, Noel Whelan wrote in *The Irish Times*——

**An Cathaoirleach:** We will not be mentioning anyone in *The Irish Times*.

**Senator Terry Leyden:** ——that moving to a single chamber would only enhance the executive dominance over politics. It would also diminish the pool of talent available to participate in national debates and shape legislation. I ask the Leader to consider having a debate on this

issue. It would give us an opportunity to defend ourselves. Surely those who are on trial, having been charged by the leader of the Opposition, should have a chance to defend themselves.

**An Cathaoirleach:** The Senator must resume his seat.

**Senator Liam Twomey:** I would prefer to debate the industrial action in the public sector than to engage in more navel gazing on the role of the Seanad and what we should be doing. There are far more pressing problems now and Senator Leyden should be calling for the Leader to arrange a debate on those.

Discussions are underway between the Government and the public sector union leadership but the Opposition has no idea what is happening in those negotiations. We have all received representations from public sector workers who are concerned about these pay cuts. I have received one letter from the leadership of a public sector union that issued veiled threats about what it would do at the next general election if we do not support them. I say to the leadership of the public sector unions that we do not even know what it wants to negotiate on. Even though some people in this House support the public sector unions in this industrial action, the public sector unions themselves are not engaging with the Opposition to any degree. If we have a debate about these strikes, I ask the public sector unions to engage with us.

There is a concern that we have discussed before that a divide is arising between public and private sector workers. This industrial action will only ensure a divide between the public sector and the general public. That will do nothing to solve the problems we are discussing. I ask the public sector unions to discuss these issues with us. I do not expect the Government to do it because it does not know what it wants to do but the unions should let us know what they aim to achieve in the negotiations so we have some idea what is happening at the moment.

This crisis has the potential to affect the economy detrimentally over the course of the next year. It must be addressed urgently so I am asking for a debate in this House on this important issue. We should have it today, there is no point having it next week, and the public sector unions should also engage with the Opposition.

**Senator Labhrás Ó Murchú:** It is always important during challenging times to look for a glimmer of hope. There was a glimmer of hope recently on the part of the trade union movement that has gone unnoticed. An instruction was sent to members not to co-operate with specified political parties but that instruction has now been withdrawn — I have seen the letter — and the element of partisanship removed. That is a sign of courage which is particularly important at this time.

What is happening at the Passport Office amounts to a misuse of the strike weapon. I have been a trade unionist all my life. I have been secretary of a trade union and stood on the picket line when necessary. Who is really suffering at the Passport Office? Generally, those who seek a passport as a matter of urgency are people who wish to visit sick relatives, attend funerals and have saved, as we heard in a recent debate, to take their children on holiday.

Each time I have spoken on this issue I have asked for a resumption of talks. Regardless of whether they take place as part of the social partnership process or under another structure, talks are required but we must start from the premise that in the current economic climate it is clear that the cuts imposed will not be reversed. However, there is a way forward which may help lower paid workers. The way forward is that the main discussion should be about root and branch reform of the public sector. In that way it is possible that some of the things taken from the workers could be returned to them.

I am not opposed to the Minister for Foreign Affairs coming to the House but it would be the wrong focus because he can only deal with the problem as it affects the Passport Office.



[Senator Labhrás Ó Murchú.]

There are much bigger issues involved. Therefore, we must deal with the problem in a much more comprehensive way. As a first step, what is happening at the Passport Office should stop and the Government should respond positively to the courage shown by the trade union movement recently.

**An Cathaoirleach:** Before I call the next speaker, I welcome to the Visitors Gallery former Senator and Deputy Pat Gallagher who is now county manager at Offaly County Council.

**Senator Paudie Coffey:** The people are demoralised and the debacle at the Passport Office on Molesworth Street is only one of the many bushfires raging around the country. We can see the very real effects of the warning signals given many months ago about the divide between public and private sector workers. It sad to see workers and citizens being pitted against each other in such a public manner just a few hundred yards from where we sit. Senator O'Toole and others were voices of reason but more of this is needed if we are to pull the people together. If we do not find a solution through communication, we will face anarchy. We must remember that citizens have been waiting for months to receive jobseeker's allowance, student grants and other benefits. They, too, are frustrated.

I wish to bring to the Leader's attention a serious matter that has arisen in the south east in the past week as a result of the Cabinet's decision to discontinue the 24-hour sea and air rescue service based at Waterford Airport.

**An Cathaoirleach:** The Senator proposes to raise that matter on the Adjournment.

**Senator Paudie Coffey:** I appreciate that but I call for a wider debate in order that all Senators can contribute to a discussion on the sea and air rescue service which is being denuded in the south-east region. Coastal communities will be neglected as a result. This is a despicable decision to make on an island nation but it is not too late to reverse it, which is why I call for a debate on the issue. The contract has not yet been signed. All Senators should have an opportunity to express their opinions on the matter.

**Senator Niall Ó Brolcháin:** We need to see a speedy end to the problems being experienced at the Passport Office. I urge the Government to work as hard as it can to achieve a solution. A number of Fine Gael Senators have made excellent contributions on the issue. However, I tend to agree with Senator Leyden on this side of the House who has pointed out that there is a very real issue to be addressed. I would very much like to hear the views of Fine Gael Senators in a debate on the abolition of this House. Senator Twomey has stated it is important we have a debate on the public service but if we do not have a House in which to hold the debate, it will be impossible for that debate to take place.

**Senator Maurice Cummins:** The Senator is barking up the wrong tree.

**Senator Niall Ó Brolcháin:** We need to reform the House.

**Senator John Paul Phelan:** What happened to the Minister, Deputy John Gormley's reforms promised two months ago?

**Senator Frances Fitzgerald:** They were due to be implemented before Christmas.

**An Cathaoirleach:** No interruptions, please. Senator Ó Brolcháin interrupted no one.

**Senator Niall Ó Brolcháin:** It is important in that debate——

**Senator Paudie Coffey:** The Senator's priorities are all wrong.

**Senator Frances Fitzgerald:** They should make a decent Government.

**Senator Donie Cassidy:** Senators should address the Chair.

**Senator Niall Ó Brolcháin:** It is important that in the debate we should hear not only the views of Members on this side of the House on the abolition or reform of the Seanad but also those of all parties.

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

**Senator Niall Ó Brolcháin:** It is dangerous to have one party in the House talking about having a referendum to abolish the House. It is very easy to make——

**Senator John Paul Phelan:** Why is it dangerous to ask the people what they think? How is that dangerous?

**Senator Niall Ó Brolcháin:** It undermines the integrity of the House. It is very dangerous——

*(Interruptions).*

**Senator Niall Ó Brolcháin:** It is very difficult to be heard, a Chathaoirligh.

**Senator Frances Fitzgerald:** The Senator is concerned about his own job again. What about the public?

**An Cathaoirleach:** No interruptions, please.

**Senator Niall Ó Brolcháin:** It is very difficult to be heard in the House, which is unfortunate. We need to have a debate.

**Senator Jerry Buttimer:** The Green Party is not being heard in the Cabinet either.

**An Cathaoirleach:** Time Senator, please.

**Senator Niall Ó Brolcháin:** I am trying to get to the end of the point I am trying to make but it is difficult.

**An Cathaoirleach:** My time is limited.

**Senator Niall Ó Brolcháin:** I understand. It is very easy to have knee-jerk reactions as regards the integrity of our democracy. These simplistic ideas of moving forward and abolishing things need to be dealt with in a coherent fashion.

**Senator Liam Twomey:** The people will decide.

**Senator Niall Ó Brolcháin:** It is important to have a debate in the House. We have heard the views of the Labour Party, the Green Party——

**Senator Frances Fitzgerald:** There have been 12 reports on the issue.

**Senator Paudie Coffey:** If the Green Party had its way, it would abolish rural Ireland.

**Senator Niall Ó Brolcháin:** ——and Independents in this House.

**Senator Liam Twomey:** On a point of order, in the interruptions I missed Senator Ó Brocháin state he would hold a debate on the role of the Seanad.

**An Cathaoirleach:** That is not a point of order.

**Senator Liam Twomey:** Is the Senator just talking because he has no power in this place?

**An Cathaoirleach:** The record will show what he said.

**Senator Liam Twomey:** He should be strong enough to seek that debate.

**An Cathaoirleach:** I call Senator Regan who should continue, without interruption, please.

**Senator Liam Twomey:** These boys are in power. They have taken their 30 pieces of silver. They should be strong enough to seek a debate.

**An Cathaoirleach:** Senator Twomey is taking Senator Regan's time.

**Senator Liam Twomey:** Obviously, they are not. They are ineffective.

**An Cathaoirleach:** There should be no discussion across the floor.

**Senator Liam Twomey:** The Green Party members have no role here, apart from taking the 30 pieces of silver.

*(Interruptions).*

**An Cathaoirleach:** There should be no discussion across the floor.

**Senator Eugene Regan:** I refer to the issue of democracy which has been raised. Just one week ago——

**An Cathaoirleach:** Questions to the Leader, please.

**Senator Eugene Regan:** With respect, I have uttered a few words in introducing my question. Surely, I am allowed to do so.

**An Cathaoirleach:** I am not stopping the Senator, but I want questions to the Leader from everyone. I want to cut out comments across the floor.

**Senator Eugene Regan:** I fully appreciate that. I have been a Member of the House for some time now and appreciate that a call for a debate or a question to the Leader is required. However, the issue of respect for democracy has been raised. One week ago there were statements in this and the Lower House on the report of the Ombudsman, Ms Emily O'Reilly, on the lost at sea scheme which was designed by a former Minister to facilitate two of his constituents. The criteria adopted to facilitate——

**Senator Paschal Mooney:** That is not true.

**Senator Eugene Regan:** Yet the man concerned claims to have been vindicated by the report.

**Senator Liam Twomey:** They do not want a debate on that matter either.

**Senator Eugene Regan:** It is an affront to democracy.

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

**Senator Eugene Regan:** The report was vetoed by the Government and there was no meaningful debate on it.

**Senator Liam Twomey:** Hear, hear.

**Senator Eugene Regan:** It is very important because it is a serious safeguard for democracy, about which the Senator has just spoken. We have the Oireachtas, a courts system, a free press and an Ombudsman. These are very important safeguards. The Government has sidestepped and shown total disrespect to the Ombudsman. I quote a former Senator, Mr. Maurice Hayes, who wrote recently in the national media. He stated the office of the Ombudsman had been established by the Oireachtas and the least we could do was to respect the office and the integrity of the officeholder.

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

**Senator Eugene Regan:** We have not respected the office in not having a proper debate and not giving proper consideration to the recommendations of the Ombudsman which should be respected. Senator Boyle stated that the Ombudsman should be respected in her request to have the matter referred to an Oireachtas committee, and that has been supported by the Minister for the Environment, Heritage and Local Government, Deputy Gormley. Does the Leader agree that this matter can be referred to an Oireachtas committee? There is a constitutional issue here and the Joint Committee on the Constitution might just be the committee to have this referred to.

**Senator Donie Cassidy:** This is the longest two minutes.

**Senator Maurice Cummins:** They are all at sea over there.

**Senator John Hanafin:** I also raise the issue of the way that the public has been treated in the Passport Office. No doubt whatever aims the people who work in the Passport Office may have had, have been negated in full by the strong reaction from the public and I suggest that this is not the way forward to achieve their aims. When this economy was doing quite well, there was benchmarking. Given the severe downturn, there was no question of upward only benchmarking. Everybody had play their part. Notwithstanding that, there would be a time when the social partners would be told the sacrifices being made now would not be forgotten and that when the economy would begin to grow again, benchmarking would reappear and continue on an upward trajectory. That is an important point. The good times do not last forever but neither do the bad times.

There was a fine call for a debate on Seanad reform and the question over the supporting of the abolition of the Seanad. That said, one of the comments suggested that the Green Party took 30 pieces of silver for dealing with Fianna Fáil. That is probably one of the most ignorant, stupid and wrong comments I have ever heard in this House.

**Senator Niall Ó Brocháin:** Hear, hear.

**Senator Maurice Cummins:** Four out of six.

**Senator John Hanafin:** It is shameful to imply that doing business with Fianna Fáil is taking 30 pieces of silver.

**Senator Liam Twomey:** That is the way we feel about it. They got their junior Ministry and they are staying at home on the issue of what happened in the west.

**Senator John Hanafin:** Shameful.

**Senator Jerry Buttimer:** Senator Hanafin's remarks deserve to be answered. Perhaps the Leader could answer Senator Hanafin by asking him what is the Fianna Fáil record of ethics in Government and of ethics in politics. The answer is seen far and wide in this country, Senator Hanafin. It is like getting 30 pieces of silver.

**An Cathaoirleach:** The Senator should not direct comments across the floor. He should speak through the Chair to the Leader.

**Senator Jerry Buttimer:** The Green Party in Government has learnt well from Fianna Fáil and the proof will be evident today when we will see the Cabinet reshuffle and the announcement of the Ministers of State later on. I ask the Leader and, in particular, Senator Ó Brolocháin, who is not here, whether he would facilitate——

**An Cathaoirleach:** Do not comment on anyone who is not present in the House.

**Senator Maurice Cummins:** The Senator is at the door.

**Senator Jerry Buttimer:** I am responding to, reciprocating and augmenting the request of Senator Regan that this House would debate the lost at sea scheme. I challenge the Members on the Government side. If they are so concerned about democracy and if they are so concerned about the rights of people and the rule of law, allow for this debate to be taken and allow for this House to bring in the Ombudsman to the committee and for her report to be discussed at committee. What are they afraid of? Are they afraid of subverting the rights of this House?

I also ask that the Minister for Foreign Affairs come into the House today. It is important that he come in, and also the Minister for Enterprise, Trade and Employment and the Minister for Finance.

**Senator Maurice Cummins:** Whoever they will be.

**Senator Jerry Buttimer:** This Government is the first in a quarter of a century to have dropped the ball when it comes to social partnership.

**Senator Joe O'Toole:** Hear, hear.

**Senator Jerry Buttimer:** What we have today is industrial unrest. What we could have tomorrow are riots in the street. Is this what the Leader wants on behalf of the people? The people are the losers here. I refer to the people who have no passports, the people who cannot get medical cards and cannot get social welfare payments. These are the big losers, along with the public sector workers.

**An Cathaoirleach:** I call Senator Callely.

**Senator Jerry Buttimer:** Does the Leader want the people to suffer more? Is he happy to have Deputies Cowen, Gormley and Harney in State cars? Is that what he wants?

**Senator Donie Cassidy:** That is what we want.

**Senator Ivor Callely:** I call for a debate on the public service. I ask that such debate would consider the broader issues associated with public sector reform, especially public sector efficiencies and accountability with consequences. Those two issues are hugely important. I draw to the Leader's attention the fact that what is happening at the passport office is unacceptable. I also draw his attention to a public undercurrent in favour of a resolution. Many

are commenting on the success of the late US President, Ronald Reagan, when he experienced a similar action by essential public servants in air traffic control, the manner in which he dealt with it and the consequences of his actions.

On a separate issue, the attitude and actions of banking officials are having a huge detrimental impact on the economy. We have all heard of cases of, and some Members may have personal experience of, such banking officials' actions. Will the Leader consult the other party leaders on the need to have a focused debate on this aspect of our banking institutions and its impact?

**Senator Dominic Hannigan:** Other Members have raised the difficulties experienced by people who wish to leave the country in seeking passports but I wish to raise the difficulties experienced by people coming into the country. A recent report shows that this year 15 of the 20 busiest European airports will grow, while five will see a reduction in capacity. Dublin Airport is in the latter group and will witness the largest reduction, with 10% fewer passengers than last year, all because of the €10 tourism tax. The implication is that we will see further job losses. A total of 1 million passengers through Dublin Airport generates approximately 1,000 jobs at the airport in, for example, car hire firms and outside it in restaurants and hotels. The tourism tax needs to be examined because it is costing us money. I seek a debate on the issue.

**Senator Paschal Donohoe:** I support Senator O Brocháin's call for a debate on Oireachtas reform, the future of this House and the way politics is conducted. I also want to make it clear to him that my party and I will not take any lectures on integrity from him or his party which has shown an avarice for political office that puts Fianna Fáil to shame.

**Senator Ivana Bacik:** Hear, hear.

**Senator Frances Fitzgerald:** Hear, hear.

**Senator John Paul Phelan:** Hear, hear.

**Senator Paschal Donohoe:** A debate on the Passport Office is needed for the sake of those involved in providing public services. It is apparent that there is a crisis among the public in respect of those who work in the public service and the way services are provided. Before the events at the Passport Office, there were thousands of medical card and social welfare applications not being dealt with or handled. There were also questions about the State care of children and related decisions. While the Government must take responsibility for these, so too must those involved in providing these services. This is a necessary debate.

That said, there was one public service done last week in the call made by the Garda Representative Association on the participation of its members in industrial action. It made it clear it would stop its members using their personal equipment to do their jobs properly. What kind of country are we living in that we ask gardaí to use their own telephones, cars, time and personal resources to protect us from those who are threatening our security and safety? While I hope industrial harmony and peace are restored, I hope these practices are not.

**An Cathaoirleach:** I apologise I missed Senator John Paul Phelan. I should have called him earlier.

**Senator John Paul Phelan:** That is okay. I will leave you off this time if you give me an extra minute.

[Senator John Paul Phelan.]

I agree with Senator Bacik in her comments on the Green Party in government. Will the Leader clarify if the House had a debate on the renewed programme for Government since it was agreed several months ago, considering the horse-trading we have seen in the past few weeks between Fianna Fáil and the Green Party over positions as Ministers and Ministers of State?

**Senator Ivana Bacik:** Hear, hear.

**Senator John Paul Phelan:** This applies also to the avowed position of a former Green Party councillor on the national airwaves some months ago, at the time of the renewed programme for Government, who said his party would support NAMA and the renewed programme for Government if there was a deal on legislation for animal welfare. I would like a discussion as soon as possible. I am disturbed that we have had a number of debates and the Dog Breeding Establishments Bill has not yet completed its passage. At a time when the Government is talking about setting up an inspection system, much needed in some areas for dog breeding establishments, which would cost millions of euro, the Government is also taking €1 million from the air sea rescue service for the south-eastern region, which will save human lives. There can be no moral equivalence between animal lives and human lives yet the Government seems to be prepared to allow that.

I join with Senators who raised the matter of the Passport Office and the scandalous queues and the misery caused to families across the country because of delays in there. It is the same in local authorities and Departments. There is a failure of members of public sector unions to deal with urgent queries from members of the public and public representatives. What does the Leader understand to be the meaning of the term work to rule? I thought work to rule was where someone does the job but does not do the extra tasks they sometimes carry out as part of their responsibilities. In the Passport Office, there is not a work to rule because people are being paid but they are not doing their job. They are doing it for a few hours a day but not for the hours they are being paid. That is totally and utterly unacceptable. I have the greatest sympathy for lower paid public servants and at the time of the budget I said the first €30,000 of pay for lower paid public servants should not be touched but they are going about industrial action in the wrong way.

**Senator Dominic Hannigan:** A Chathaoirleach, can I call a quorum?

**An Cathaoirleach:** There are 12 Members present.

**Senator Joe O'Reilly:** It should not go unnoticed——

**Senator Donie Cassidy:** We never did that to Senator Hannigan's party in our time.

**An Cathaoirleach:** Senator O'Reilly without interruption.

**Senator Donie Cassidy:** I just wanted to respond to that.

**Senator Joe O'Reilly:** It should not go unnoticed that the Green Party, which was so shrilly loud in its calls for a debate on Seanad reform, is now going out to see the plum jobs it has got in the reshuffle. Its interest is clearly in the plum jobs rather than reform of this House. Many of the Leader's Members have similarly departed.

I support the motion proposed by Senator Fitzgerald. There is a consensus in the House calling for people in the Passport Office to call off the dispute. However, we cannot lose sight of the fact that the root of the public anger and the public service anger is that those earning

less than €30,000 were targeted. That was wrong, unjust and immoral. However, the point I want specifically debated is that the real own goal is that higher civil servants were given an exemption from the full rigours of the income levies on the grounds they were losing bonuses. Bonuses were only paid for doing their jobs in the first place. That was the own goal that removed the confidence of lower Civil Service staff in the system and caused alienation and bitterness. I ask for the Minister for Finance to attend the Chamber, debate the matter with us again and retract his position on higher civil servants. Therein lies the kernel of the difficulty. Senator Ó Murchú often talks of the need for a national effort. There would be no difficulty with that if it was predicated on fairness. The absence of fairness is at issue.

Senator Donohoe raised the point that there has been an inordinate waiting list for medical card processing even before this go-slow. The delay in processing carer's allowance was in excess of two months. Farm assist cases go back to September, and there is a problem with jobseeker's allowance. I ask the Leader to have a separate debate on that issue because the least anybody in the poverty trap deserves is a speedy response. There is potential to solve that problem, and it needs debate. That was the case, even without the current action.

**Senator Donie Cassidy:** Senators Fitzgerald, O'Toole, Bacik, Keaveney, Ormonde, Norris, Leyden, Twomey, Ó Murchú, Coffey, Ó Brolcháin, Hanafin, Buttimer, Callely and O'Reilly expressed their disappointment in regard to the issue of passports not being processed. Public sector reform is urgently needed. In response to Senator John Paul Phelan, my understanding of a work to rule is doing the job one is appointed to do. I agree with him in respect of his interpretation.

In recent weeks Members on all sides of the House have called for the Government to go back to talks, and talks have started. Talks will bring this issue to a successful conclusion which we hope will be to everyone's satisfaction, or nearly everyone. I join the leaders in the House in calling on the personnel, regardless of how infuriated or upset they feel, to leave the matter to the negotiations for a period of time in the national interest. That will give everyone an opportunity to conduct their business affairs and give our country a chance in these very difficult economic times. I refer to those who have jobs because we heard on the Ryan Tubridy radio show this morning, as we have heard on the various television shows and every other show, about the numbers of people who are unemployed. They are the people who are listening and who must wait until the economy becomes favourable again for them to get gainful employment.

Senator Ó Murchú has been a trade union member for a long time, and Senator O'Toole has been a guiding light to the trade union movement and has participated in social partnership, which I have always advocated, as I have always congratulated those who were the founding fathers of social partnership. A consensus must be agreed but as Senator Hanafin said earlier in regard to benchmarking, it was important at the time. We are now facing a different set of challenges because of the wage scales in the United Kingdom, European countries and the United States of America. These are our competitors and we are no longer a low cost economy. Young boys and girls must come into an era where competitiveness is the order of the day and everyone is given a chance.

I have no difficulty in the House discussing this issue at a future date but as we are all aware, a Cabinet reshuffle is being announced by the Taoiseach in Dáil Éireann as we speak. As we are aware also, two appointments have to be made to Cabinet and it is not easy to arrange debates until those appointments are made. I compliment the Minister for Foreign Affairs, Deputy Micheál Martin, who is doing everything he can in a very difficult set of circumstances. We all give him our support and when the time is opportune, whether that is tomorrow, the next day or whenever, to have this debated in the House, especially in regard to the transport



[Senator Donie Cassidy.]

issue, I will come back to the leaders to tell them the earliest possible time this debate can take place. I am in full support of Members debating this issue in the House.

I have given an undertaking to the House also that on the return of the Minister for Health and Children, I will raise the issue of the centralising to Dublin of the processing of medical cards for those over 70, which is very unsatisfactory. I want to see that decision reversed and the process returned to the former health board areas, which was fair and satisfactory. As public representatives we could always make our case and get an understanding but now we are holding on the telephone line for 15 or 20 minutes, and then we lose the connection. This is not a service; it is anything but. I have given my word that the House will debate this matter following consultation with the Minister's office. Members will be aware that the Minister only returned from New Zealand yesterday.

Senator Bacik called for a debate on jobs. The Finance Bill 2010 will be before the House tomorrow, Thursday and possibly Friday, and that issue can be raised with the Minister for Finance, Deputy Lenihan, when he is present in the House tomorrow morning to take Second Stage of that Bill.

Senator Keaveney called for a debate on republicanism. I have no difficulty in allowing time for such a debate. It is an opportune time for such a debate given that Easter is approaching.

Senator Ormonde called for a debate on education, in particular reform of the leaving certificate examination. I have no difficulty allowing time for such a debate.

I agree with Senator Norris's comments in regard to the reduction of 6.5% in the allocation of the Jack and Jill Foundation which probably gets the best value for money. I fully support his call for a debate in this regard. Members will be aware that there is available to them a mechanism through which matters of real urgency can be brought to the attention of the Cathaoirleach and that this should be done by 12.50 p.m. on a full sitting day. This issue could perhaps be brought to the attention of the House by way of this mechanism to see how we can progress the serious concerns of the Jack and Jill Foundation.

Senators Leyden, Ó Brolcháin, Regan, Hanafin, Buttimer and Donohoe called for a further debate on the value of Seanad Éireann. I believe all fair minded people will agree with what has been said in regard to the value of the Seanad. The former Minister of State, Senator Leyden, stated he always looks forward to debating legislation and the commonsensical amendments thereto from Members of this House. I believe many colleagues do not wish that a majority of Dáil Members would have, as mentioned in the media, the powers to remove the President, a judge or to veto in Brussels issues such as taxation. Nobody wants this to happen. I believe also that many hard-working, dedicated Members on the Fine Gael benches in this House do not wish to see this happening.

**Senator Maurice Cummins:** Where are the proposals on Seanad reform?

**Senator Donie Cassidy:** I know that the Fine Gael Leader is currently——

**Senator Maurice Cummins:** Where are the proposals on Seanad reform?

**Senator Donie Cassidy:** ——putting forward a proposal——

**Senator Paschal Donohoe:** We are not speaking about that.

**Senator Donie Cassidy:** ——and while I believe many of my colleagues do not support that proposal, they are under the Whip and must do what they are told.

**Senator Maurice Cummins:** Where are the proposals on Seanad reform?

**Senator Paschal Donohoe:** The Leader knows all about that.

**An Cathaoirleach:** The Leader without interruption, please.

**Senator Donie Cassidy:** I look forward to having that debate in the House, which I will facilitate following the Easter recess.

**Senator Maurice Cummins:** Will we have proposals by then?

**Senator Donie Cassidy:** The proposals are before the Minister. Following the reshuffle the newly appointed Minister will examine them.

**Senator Maurice Cummins:** The current Minister will continue in place.

**Senator Nicky McFadden:** Another delaying tactic.

**Senator Donie Cassidy:** Senator Regan made a statement in the House, which I do not believe to be correct. As I understand it, it was suggested that the report not be debated in committee and that it was subsequently debated in the Dáil. The up-to-date position in so far as I am aware is that it was proposed that report would be debated in committee but that the Fine Gael Party wanted it debated in the Dáil, which debate took place. I have no difficulty allowing time for such a debate if that is not the case. As I understand it, the report was discussed by the Dáil.

Senators Coffey and John Paul Phelan called for a debate on south-east matters, which subject has been selected for discussion on the Adjournment today. We will await a decision in regard to such debate until we have heard the response from the Minister.

Senator Hanafin called for a debate on benchmarking. I have no difficulty allowing time for such a debate. Senator Callely called for a debate on the public service reform and banking officials. All these issues can be discussed tomorrow when the Minister for Finance comes to the House to take the Second Stage debate of the Finance Bill 2010 in regard to which I have allocated 20 minutes to spokespersons and 15 minutes to all other Senators.

Senator Hannigan called for a debate on the €10 tourism tax which he believes to be a serious deterrent to people flying in and out of this country. The House previously held a lengthy and good debate on tourism. We will await the appointment of the new Minister to this portfolio, following which I will arrange for a further debate on tourism. I have no difficulty providing time for a debate on tourism which is one of the three planks upon which we will have to rely if we are to get our economy up and running again. Tens of thousands of people are employed in the tourism sector, in which I must declare my interest. I agree with many of the proposals put forward during the debate on tourism in this House. We will wait to see what the newly appointed Minister to this portfolio will do in terms of dealing with this issue.

Senator John Paul Phelan called for a debate on the programme for Government. I have no difficulty in allowing time for such a debate following the Easter recess.

**An Cathaoirleach:** Senator Fitzgerald has proposed the following amendment to the Order of Business: "That statements on the actions which the Minister for Foreign Affairs intends to take to address the ongoing industrial action at the Passport Office be taken today." Is the amendment being pressed?

**Senator Frances Fitzgerald:** Yes.

Amendment put.

The Seanad divided: Tá, 22; Níl, 27.

Tá

Bacik, Ivana.  
Bradford, Paul.  
Burke, Paddy.  
Buttimer, Jerry.  
Cannon, Ciaran.  
Coffey, Paudie.  
Coghlan, Paul.  
Cummins, Maurice.  
Donohoe, Paschal.  
Fitzgerald, Frances.  
Hannigan, Dominic.

McFadden, Nicky.  
Mullen, Rónán.  
Norris, David.  
O'Reilly, Joe.  
O'Toole, Joe.  
Phelan, John Paul.  
Prendergast, Phil.  
Regan, Eugene.  
Ross, Shane.  
Ryan, Brendan.  
Twomey, Liam.

Níl

Boyle, Dan.  
Brady, Martin.  
Callely, Ivor.  
Carroll, James.  
Carty, John.  
Cassidy, Donie.  
Corrigan, Maria.  
Daly, Mark.  
Dearey, Mark.  
Ellis, John.  
Feeney, Geraldine.  
Hanafin, John.  
Keaveney, Cecilia.  
Leyden, Terry.

MacSharry, Marc.  
McDonald, Lisa.  
Mooney, Paschal.  
Ó Brolcháin, Niall.  
Ó Domhnaill, Brian.  
Ó Murchú, Labhrás.  
O'Brien, Francis.  
O'Malley, Fiona.  
O'Sullivan, Ned.  
Ormonde, Ann.  
Phelan, Kieran.  
Walsh, Jim.  
Wilson, Diarmuid.

Tellers: Tá, Senators Maurice Cummins and Eugene Regan; Níl, Senators Niall Ó Brolcháin and Diarmuid Wilson.

Amendment declared lost.

Order of Business agreed to.

### **Energy (Biofuel Obligation and Miscellaneous Provisions) Bill 2010: Report Stage.**

**An Leas-Chathaoirleach:** I welcome the Minister, Deputy Eamon Ryan. I remind Senators that a Member may speak only once on Report Stage, except the proposer of an amendment who may reply to the discussion on it. Each amendment must be seconded. Amendments Nos. 1 to 5, inclusive, and Nos. 7, 10 and 11 are related, while amendment No. 8 is consequential on amendment No. 7. Is it agreed to discuss amendments Nos. 1 to 5, inclusive, and Nos. 7, 8, 10 and 11 together? Agreed.

**Senator Joe O'Toole:** I move amendment No. 1:

In page 5, line 12, after "BIOFUEL" to insert the following:

"TO SUPPORT, PROMOTE AND INCENTIVISE INDIGENOUS BIOFUELS PRODUCTION; TO INCREASE SECURITY OF SUPPLY".

I welcome the Minister and congratulate him on holding his position in the Cabinet. We expect him to continue working hard on our behalf. I also congratulate his party on doing well in the reshuffle.

I am proposing amendment No. 1 but I will speak generally on amendments Nos. 1 to 5, inclusive, and Nos. 7, 8, 10 and 11. On Second and Committee Stages we talked at length about the importance of energy security and, in effect, spoke the Minister's language throughout.

We made the point that the amendments we tabled were well grounded in what we thought was best international practice and what was best for Ireland. We were very conscious of the fact that the debate on ethanol is something which can create a new outlet and increase productivity and attractiveness for the farm community. It would provide an injection of jobs and money into rural development. In that sense, it was very attractive.

4 o'clock

In terms of the Green Party, the Minister would agree that what we proposed also maintained energy independence. When I say "we" I refer to both sides of the House and the Minister during the course of this and previous debates.

We were somewhat unhappy at the end of the Second Stage debate when the Minister's colleague, the Minister of State, Deputy Conor Lenihan, appeared to bring in a few red herrings. He seemed to indicate that what we proposed would increase the price of fuel at the pumps significantly more than was the case. We corrected that on Second Stage and I am glad to say the Minister had no difficulty with our position. I felt we made a lot of progress in terms of understanding each other's points of view in the course of Committee Stage. The Minister recognised that we were all driving in the same direction and trying to get there.

The purpose of amendment No. 1 was to support, promote and incentivise indigenous bio-fuel production to increase security of supply. I tabled the amendment to have a clear indication of objectives. I am not sure how the Minister stands on the amendment but I recognise it would closely reflect his point of view. I am not proposing anything in an argumentative or confrontational manner. The end of the lengthy Committee Stage debate contained long contributions from colleagues on both sides of the House. We all look forward to making progress on the Bill.

We examined the question of jobs and job creation, and the possible major development in Waterford and Kilkenny in terms of processing and distribution. We examined something which was in line with Government policy, in the best interests of Ireland and within European guidelines. In that regard, it should be acceptable.

Another issue which was raised by the Minister of State was that, to some extent, what we proposed might create a difficulty for Europe. We have researched the matter in some detail and do not see that would be the case. I note the Minister accepted that point on Committee Stage and did not have a different point of view. We also proposed something which is in operation in Germany, France and some other places. It is in our best interests to adopt our proposals.

I have closely examined amendments Nos. 7, 8 and 10 tabled by the Minister in response to the issue. A glass can be half full or half empty. Progress has been made. I express my appreciation to the Minister for listening to our arguments. We have had arguments on the effectiveness or ineffectiveness of the Seanad. This is an issue which is technically dense. I do not think it would ever be argued in the Dáil Chamber. We spent two or three hours arguing about it in this forum. I thank the Minister for listening. I am not enthusiastic about the amendments he has tabled but I recognise significant progress in them. While the amendments do not meet our precise proposal, they appear to give the Minister the power or to enable him, by regulation, ministerial order or statutory instrument, to do what we asked would be done in primary legislation. I presume the Minister will confirm this.

The Minister can correct me if I am wrong, but I believe I am right in saying that while his amendments have the net effect of almost meeting what we asked for by putting a provision in primary legislation, they give him the power to do what we asked for through statutory

[Senator Joe O'Toole.]

instrument or ministerial order. That is my reading of the amendments. I would prefer to have the provision in primary legislation but I recognise that at least the door is now open to do this. The Minister has listened to the very solid arguments made by myself and Senators O'Reilly, Norris and Walsh. This is something on which we all aim to find consensus.

I am not 100% happy with the amendments tabled by the Minister, but it would be churlish of me not to recognise and acknowledge the significant progress which has been made and the openness of the Minister in listening, responding and putting forward an amended position. For that reason, I intend to accept the Minister's amendments and not to press mine. I thank the Minister for being in the House during the difficult, convoluted and intricate debate on Committee Stage. We have made progress and it has been a good day for the Bill. In that regard, I will move the amendments I have tabled with the intention, after hearing the Minister, of withdrawing them and not pushing them to a vote.

**Senator Joe O'Reilly:** I note the last comments of Senator O'Toole and second the amendment. The purposes of my Committee Stage amendments and the Report Stage amendments of Senators O'Toole and Norris, which I support, have been to support indigenous production and processing of raw materials to create bio-fuels. At a time when the economic climate of our country dictates that jobs and farm incomes be a priority, we should orientate any legislation in that direction. Amendment No.1, in the names of Senators O'Toole and Norris, is good and proposes that we support, promote and incentivise bio-fuel production. We have a very specific proposal to which Senator Bradford will wish to refer. It was referred to by Senators Phelan and Walsh on Second and Committee Stages. In Belview port in Kilkenny there is a proposal to develop a 100,000 tonne bioethanol processing facility with the potential to create 1,000 jobs. Anything to support, promote and incentivise that and any other bio-fuel processing in the country is laudable and should be written into the Bill. It should be a stated objective of the legislation.

Our economic climate makes such provisions mandatory. It would be reprehensively negligent not to propose such views, as in excess of 437,000 people are unemployed. Jobs must be at a premium. The *raison d'être* for anything we do here should be job creation. Many people are displaced from construction. There is enormous potential, not just in processing but in the growing of energy crops in this country. Teagasc has stated there are 100,000 hectares of land available for the growing of energy crops without damaging food supply. It is very important that we support this. However, the incentives for farmers are not adequate. They need incentivisation to grow energy crops. Farm incomes are on the floor, farmgate prices are at an all-time low and there are real difficulties as regards declining numbers and incomes which, on average, are about €13,000 per annum. It is scary; therefore, anything that would assist farmers should be encouraged. For that reason, providing incentives to encourage the growth of energy crops would be a worthy objective of the legislation and is what the amendment is seeking to achieve.

The second amendment suggests there should be a level playing field with producers in Brazil and that Ireland should be brought into line with other countries such as Belgium, Slovakia, Poland, Hungary etc. What is important is that we incentivise domestic production while eliminating imports because the objective of the legislation, to reduce the carbon footprint, will not be achieved by long-haul transportation of biofuels into the country. For that reason, it is very important that we attempt to achieve it by incentivising domestic production. As I said, the jobs question arises in this regard. Security of supply is vital and would be served by the amendment in seeking to create a level playing pitch with producers in Brazil. It would be an important step to support the achievement of a €100 million bioethanol processing business in

Ireland. Therefore, the amendment is worthy on the grounds of ensuring security of supply, in reducing the carbon footprint, supporting indigenous processing and job creation initiatives, as well as the growth of indigenous energy crop production.

The other amendments are in a similar vein in that they all seek to achieve these objectives. However, the big objective has to be job creation. At this stage the emphasis must be placed on it. We will not overcome our domestic economic ills if people are not put back to work, generating income and economic activity and giving the economy a renewed impetus. It is not just an abstract economic issue that is at stake, but rather the well-being of the people against the reality of unemployment and not having fulfilling work to do. This is important from every perspective in building a society and an economy and preparing for the future. Therefore, there has to be enormous emphasis on job creation. That is the objective of the worthy amendments tabled and espoused well by Senators O'Toole and Norris. It is also the objective of the amendments I tabled on Committee Stage, having outlined my intentions on Second Stage.

Like Senator O'Toole, I welcome the Minister's amendments to the extent that there is movement towards our position. Truthfully, we would prefer if there was a specific commitment in the primary legislation to achieve the standard set in our amendments. As Senator O'Toole said, however, we do not accept all of the arguments presented by the Minister of State, Deputy Conor Lenihan, to the effect that this is what is happening in a majority of European states. We would prefer if it was stated specifically in the legislation, but nonetheless there is the potential for the Minister to make a ministerial order, which could be a step in the right direction, as it is an acceptance, in principle, if not in practice, of our position.

I am heartened that the position I elucidated on Second Stage, developed on Committee Stage and I am continuing to pursue on Report Stage is implicitly accepted by the Minister. That is welcome. While I very much welcome this fact, I would prefer if it were explicitly accepted. Nonetheless, it is accepted and I recognise that it is progress achieved by the Seanad. I urge the Minister, when he comes to make the requisite regulations at a later stage, to insert the necessary standards to create a level playing pitch, as we have suggested. I appeal to him to do so.

It is the prerogative of Senator O'Toole, as a sagacious and long-time Member of the House, to decide whether he should seek a division on his amendments. I defer to his judgement, as someone who is experienced in these matters. While it is good that an advance has been achieved, I hope the Minister will indicate that he intends to accommodate our twin objectives in the regulations, namely, a reduction of the carbon footprint and creating jobs. If we believe the regulations are likely to achieve these goals, we shall be happy to support the legislation on Report Stage.

We are here to create jobs, boost native production and, ultimately, create a better lifestyle and higher incomes for the people, while achieving the objective of reducing the carbon footprint. On that basis, I support the amendments. I support the Minister's amendment with the reservation that it would be better if the objectives were explicitly provided for in primary legislation. Nonetheless, I hope they will be achieved in the regulations to be made by the Minister. Native growers and processors must be given confidence to proceed, with a belief they are competing on a level playing pitch with their counterparts in other countries.

**Senator Paul Bradford:** I should have taken a tea break, since the argument was being made so well by my colleague, Senator O'Reilly. I support what he said and look forward to hearing the Minister's response and explanation of the thinking behind his amendments. It will be interesting to hear what exactly he believes will stem from the changes he intends to make. First, I should congratulate him on his safe deliverance in the reshuffle which is always a

[Senator Paul Bradford.]

difficult and dangerous political journey. He has done a solid and constructive job in his Government duties to date.

This legislation is significant from both an economic and environmental perspective. Hopefully, whatever we do not finalise and fine-tune in this House, the Minister may be able to progress in the other House. With regard to the amendments before us, where Fine Gael is coming from has been clearly outlined by Senator Joe O'Reilly. During the Second Stage contributions, and on Committee Stage in supporting amendments made by Senator O'Reilly, the Fine Gael Senators were trying as far as possible to use the legislation to promote a native bio-fuels industry, which would be of huge significance from an environmental perspective but also from an agricultural perspective. There is no need to explain this to the Minister because he is very much aware from his discussions around the Cabinet table that the plight of Irish agriculture is very serious and new growth opportunities are urgently needed. In the whole area of bio-fuels, we have an opportunity to marry two problems into a solution. I am interested to learn from the Minister how he believes his amendment and the ministerial order can impact in regard to helping the development of a native industry.

In responding to our amendments and commenting on his own amendment, the Minister might outline the consultation with the Department of the Environment, Heritage and Local Government and the National Standards Authority of Ireland in the context of amendment No. 10 and section 44X(3). Is it possible for the Minister to include the Department of Agriculture, Fisheries and Food in that consultation grouping as it is important that the Minister for Agriculture, Fisheries and Food would be involved to some degree in fine-tuning this legislation? It would be a signal from the office of the Minister for Communications, Energy and Natural Resources on the need to have the Department of Agriculture, Fisheries and Food as deeply involved as possible in having this legislation enacted.

To sum up, we have made progress in the Bill. The introduction of bio-fuels into the fuel mix is good for every citizen from an environmental perspective but it is important we use the opportunity. While it is interesting the opportunity stems from the Minister for Communications, Energy and Natural Resources rather than the Minister for Agriculture, Fisheries and Food, it is the first opportunity for the House to use legislation to develop, or at least commence development, of a genuine native bio-fuels industry.

I would be very pleased if Senator O'Toole's amendments, which are very much akin to the thinking of Senator O'Reilly, could be enacted as written. However, I recognise the Minister is at least going a long way to meet us. He might clarify what exactly will be the import of his thinking on the legislation.

I thank the Minister for giving so much time to the House on the Bill. It is more than a step in the right direction — it is many steps in the right direction. It will make a difference to motorists and people in the transport industry, which is correct from an environmental perspective. However, I would dearly wish it to also make a positive impact on the development of a native bio-fuels industry, which would be of significant assistance to Irish agriculture and the creation of jobs in rural Ireland.

We heard the Taoiseach in the other House talk about the new configuration of Government Departments. If it is all about jobs, we have to try to ensure in the remaining months or years of this Government, whichever it is, that every piece of legislation will focus on job opportunities, whether in the field of education, agriculture, tourism or communications and energy. There are job prospects to be gleaned from every single Bill brought forward — certainly, this Bill can produce jobs in rural Ireland. I hope the Minister's amendments will be effective in that regard.

I look forward to the Minister's response. I thank him for his interest in the legislation and for his willingness to at least take on board some of the concerns and views from this side of the House. I hope anything that cannot be finalised in this House, despite our giving it every opportunity, can be fine-tuned in the other House.

**Senator Jim Walsh:** I join the welcome to the Minister and congratulate him on retaining his portfolio. He has shown a great degree of innovation and application in this job and it was never in doubt that he would be staying in the portfolio.

This Bill is important on a number of fronts, not just from an environmental and resource perspective but also from the perspective of job creation. There is much potential that remains untapped and we should prioritise it. As was said, and I fully support the point, all policies and legislation that are brought before the Houses from now on should be job-proofed. High unemployment, which two years ago we never thought we would see return, is here, will continue to grow this year and, unfortunately, from what I am hearing from the United States, may continue to grow for a number of years. Therefore, prioritising job creation has to be an absolute prerequisite of Government.

We have already debated the issues covered by the Bill. As we are consuming 6 billion litres of hydrocarbon fuels per annum, the bio-fuel obligation presents both a challenge and an opportunity to us in that 4% of this, approximately 220 million to 240 million litres, will come from bio-fuels. While at present we have significant imports, the thrust of all the debate in this House has been to try to shift from imports to indigenous sources of supply, of which there are a number.

I welcome, as have others, the Minister's constructive response to the debate in this House in recent weeks. I also welcome the amendment which he has put before us on Report Stage. Like other speakers, I would have preferred if it had been more prescriptive but we fully understand, given the debate we have had, the genuine reasons behind that. I welcome that the amendment clearly states we need to promote the use of bio-fuels and meet certain minimum standards. I would like to see the more mandatory term "shall" instead of the discretionary "may" in regard to making regulations but I understand Ministers and officials tend to give themselves as much scope and latitude as possible. Nonetheless, I would like the Minister to say on the record of the House that he intends to make such regulations.

It is important we compliment those who have contacted us in this regard and who have been helpful in resourcing us for the debate. I refer in particular to Green Biofuels Ireland Limited from my own neck of the woods and also Ethanol Ireland, which has a proposal in regard to Belview Port, not far from my area. They have been very focused and professional in the manner in which they have put forward their logical and cohesive arguments.

These companies are an example for others to follow. At present, there are issues on which we are bombarded with all sorts of e-mails. While people may think this is effective, it is not nearly as effective as taking a more professional and focused approach. If one's arguments are strong enough and sustainable, that is the line one should follow. I would like to see others do it as well, rather than thinking the volume rather than the quality of representations will dictate the evolution of policy.

The Minister might respond on the following point. Through the legislation, the country has subcontracted the 4% bio-fuel obligation to the oil companies. The administration will be the responsibility of the National Oil Reserves Agency. The logical argument has been made that in a scenario where we want to see the bio-fuel option leading to the promotion of indigenous industry and jobs, the bioprice should be set at a level to ensure and encourage the obligated parties to blend undenatured ethanol to the 4% level, in order to avoid the buy-out price being



[Senator Jim Walsh.]

passed on directly to the consumer. The bio-fuel targets can be met by an oil company sourcing the bio-fuels through a combination of biodiesel or bioethanol from anywhere in the world. The company's key criteria in purchasing bio-fuels are based on price and quality. The draft legislation claims to create demand and therefore it needs to support domestically produced bio-fuels. I ask that the implementation of the appropriate tariff code 22071000, be included in the regulations in order to apply the duty at the higher level. This is my understanding of what we are trying to achieve. While the regulations allow for this to happen, the fact it is discretionary means it is not mandatory. I do not think the particular tariff code is mentioned in the legislation. In this regard we would only be in conformance with the many other countries which have adopted that approach. Countries such as Germany, Spain, France, Poland, Sweden, Belgium and Austria have adopted this code for similar reasons to that being proposed here. For this to be effective, I would like to be assured that the tariff code will be implemented and the effect we are seeking to achieve will come to pass. I know we all support the Minister in that objective as we will support any other legislation which will have as a secondary objective the creation and maintenance of jobs.

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I apologise for being slightly delayed in my arrival. I propose to deal with amendments Nos. 1 to 5, inclusive, and amendments Nos. 7, 8, 10 and 11, together.

As Senator O'Toole said, the issue arose on Committee Stage of specifying particular tariff codes for ethanol under the obligation on the basis that it would promote indigenous industry. I undertook to address the concerns raised on Report Stage. Having consulted with the Office of the Attorney General, a new section 44X has been added to provide power for the Minister to make an order specifying the fuel standards required in order for fuel to meet the obligation. The introduction of the new section will enable me, once the Bill is enacted, to move to make a statutory instrument setting out the information required about specifying a tariff code and put through the notification procedure to the European Commission in due course. By taking this course of action now we are ensuring there is no undue delay in progressing the legislative progress and in bringing the obligation into force.

I will respond to some of the questions raised by the Senators opposite. There is good reason for introducing this by means of secondary legislation because it provides greater flexibility and it avoids the measure running into legal difficulties elsewhere. It is intended to use this measure. It may be a case of "may" or "shall" but I am fairly confident it will be a "will" or a "will have been".

**Senator Joe O'Toole:** I like those tenses.

**Deputy Eamon Ryan:** With regard to Senator O'Toole's point about amendment No. 1, we have to be careful we do not fall foul of international trade and other obligations. This is one of my concerns. While we are agreed on the need to increase security of supply and we want to support indigenous production, we have to be careful about how we set that out and not fall foul of international agreements.

With regard to Senator Bradford's point about consultation with the Department of Agriculture, Fisheries and Food being included along with consultation with the Minister for the Environment, Heritage and Local Government, the National Standards Authority of Ireland and the Revenue Commissioners, this seems to make sense. I propose to table an amendment on Committee Stage in the Dáil because it makes sense to have the Department of Agriculture, Fisheries and Food involved and for that Department to have an input into the policy as it is developed.

Senator Walsh made a point regarding the buy-out price. He asked how certain we can be that this will work. One of the benefits of using secondary legislation in this regard is that it allows flexibility. My Department will monitor this over the next number of years to see how it is working. Because the price is set by order — similar to the secondary order — there is flexibility. The effect can be measured as to whether it is the desired effect. This is taken into account along with the other issues. This is a complex market in terms of technology, international trade arrangements and so on. The European Union code of practice is something we will need to assess to see how it works for setting standards and regulating the flows of fuels. I am confident we have the right mechanisms here, particularly with regard to the secondary legislation. This will allow the Minister to make orders to continue to adapt with regard to international regulations and as the home market develops. We need to be careful because some fuel crops may have the potential to interfere with food markets. It is therefore better to have a certain flexibility. We must meet our European Union target of 10% of transport fuels coming from sustainable sources. We have to keep an eye on developments such as electric vehicles and hydrogen fuel cells so we can combine the developments in those areas as we increase the bio-fuels obligation.

The debate in the Seanad has been very useful in this regard as it has allowed us to consider and discuss different options. Government amendments Nos. 7, 8 and 10 provide the necessary flexibility to help support indigenous production. I propose they be accepted. I welcome Senator O'Toole's indication he may be willing to withdraw amendments Nos. 1 to 5, inclusive, and amendment No. 11, given the commitment that we are on the same track but just using different legislative means to achieve our objective.

**Senator Joe O'Toole:** I thank the Minister and acknowledge his comprehensive replies to all the speakers. We all share the same point of view on this matter.

I agree completely with the Minister's assessment of the value of secondary legislation. We almost have an innate distrust of Departments. The flexibility of secondary legislation is one of the reasons we often try to have matters tied down in primary legislation. I cannot argue with the Minister's point that it gives him flexibility. He has reassured me in his answer to Senator Walsh's question, in particular, that it would be his intention — or to use whatever Latin tense it is, the future perfect — that it will have been implemented when we look back at it. He made a valid and plausible argument that there is such technological change in this area that our detailed proposals could be overtaken by events at some stage in the future. I also recognise there could be change in international trade obligations and in European regulations. The three areas of technology, Europe and international trade provide a very convincing case for change. I defer to the Minister's arguments on that point. I am not convinced by the Minister's throwaway comment about the food-fuel issue. I have looked at it closely and I have gone from one side of the argument to the other and back again three or four times.

One of the great difficulties is dealing with any agricultural product, where farmers tend to follow last year's highest price and create a resultant flood in the market the following year, causing a fall in the price. There were indications worldwide that the attractiveness of ethanol producing crops was at the expense of food, but it is one of the few things that the market just might sort out as it goes along. It is not a long-term problem. It is one that, with strategic planning, the market and regulation, will find its own level. It is, however, an argument for another day. It does not arise today.

I thank the Minister for giving such consideration to our arguments and to the issues we set out. It is a classic example of the sort of argument where progress can be made in the Seanad when it cannot be made in other places because it is dense, intractable and technical material. I also thank the Minister's officials for dealing with this. I defer to the Minister's request and

[Senator Joe O'Toole.]

withdraw amendments Nos. 1 to 5, inclusive, and amendment No. 11. I wish him well with the rest of the Bill.

Amendment, by leave, withdrawn.

Amendments Nos. 2 to 5, inclusive, not moved.

**An Leas-Chathaoirleach:** Amendment No. 9 is cognate with the amendment No. 6 and both may be discussed together.

**Senator Brendan Ryan:** I move amendment No. 6:

In page 10, line 33, to delete “the internet” and substitute “the Minister’s website”.

These are technical amendments and the Minister said he could consider them for Report Stage. Publication on “the internet” is too vague a phrase. The Internet is a big place and publication on some obscure site would technically satisfy the legislation as proposed by the Minister. I am not suggesting for one minute that this will happen but it should be changed now the issue has been identified. It would improve the legislation. The terminology of the body’s website is used in other legislation, such as the definition of the relevant Internet website in the Petroleum (Exploration and Extraction Safety) Bill 2010, published by the Minister and recently passed by the Seanad. I ask the Minister to accept these amendments.

**Senator Joe O'Toole:** I second this amendment.

**Senator Joe O'Reilly:** I also support this amendment if it serves to enhance the legislation.

**Deputy Eamon Ryan:** Any information that it is proposed to put on-line, as outlined in the sections referred to here, will be on my Department’s website and-or the agency’s website but will not be solely on either one or the other. Therefore, in view of this and to preserve flexibility, I do not propose to accept these amendments.

**Senator Brendan Ryan:** Is there any recognition of the difficulty that drove us to table the amendment? At another time the Minister might deal with this but instead of leaving it as it is, he might at least consider this in light of the difficulty that exists.

**Deputy Eamon Ryan:** We will continue to consider it but I hope the Senator sees that the proposed amendment would restrict the availability of information. It is better to include “on the internet”, which would include the Department, agencies, Dáil sites and other locations. It is not the intention to hide it. It is not even possible to hide such information with search engines being so powerful. The wording is better as it is.

Amendment, by leave, withdrawn.

Government amendment No. 7:

In page 16, line 36, to delete “and” and substitute the following:

“(b) that the biofuel the subject of the application meets such minimum standards in relation to the biofuel concerned as the Minister may prescribe under section 44X, and”.

Amendment agreed to.

Government amendment No. 8:

In page 16, line 37, to delete “(b) that” and substitute “(c) that”.

Amendment agreed to.

Amendment No. 9 not moved.

Government amendment No. 10:

In page 30, line 39, to delete “record.” and substitute the following:

“record.

“44X.—(1) Subject to subsections (2) and (3), the Minister, having regard to the need to promote the use of biofuels that meet certain minimum standards and to ensure the protection of consumers of biofuels, may make regulations prescribing minimum standards in relation to biofuels, consumed or disposed of by sale or otherwise in the State, which are required to be met for the purpose of making an application under section 44G for a biofuel obligation certificate.

(2) Regulations under this section may prescribe—

(a) different minimum standards in respect of different classes of biofuels, and

(b) different dates in respect of the coming into force of different minimum standards prescribed by the regulations.

(3) Before making regulations under subsection (1), the Minister shall consult with—

(a) the Minister for the Environment, Heritage and Local Government,

(b) The National Standards Authority of Ireland,

(c) the Revenue Commissioners, and

(d) the Agency.”.

Amendment agreed to.

Amendment No. 11 not moved.

**Senator Brendan Ryan:** I move amendment No. 12:

In page 31, between lines 6 and 7, to insert the following:

“(b) by substituting the following for the definition of “Minister”:

“ ‘Minister’ means the Minister for Communications, Energy and Natural Resources;”.

Again, this is a technical amendment. It updates the principal Act by inserting the Minister’s up-to-date title, which has changed since the principal Act was passed. The amendment is strictly unnecessary because the title was changed by regulation, but it is good practice. The Minister claimed “the Minister” was defined in the principal Act but that is not quite right because the definition in that Act has been amended by regulations and amendments of this type are regularly made as a housekeeping measure. It is not strictly necessary but this is an opportunity to get things right and I suggest the Minister takes that opportunity.

**Senator Joe O’Reilly:** I second this amendment.

**Deputy Eamon Ryan:** I indicated on Committee Stage that the definition of “the Minister” is already outlined in the principal Act and, therefore, there is no requirement to repeat it. I do not propose, therefore, to accept the amendment.

**Senator Brendan Ryan:** The definition of “the Minister” has changed since the principal Act was passed. Is that not the case?

**Deputy Eamon Ryan:** As I understand it, the transfers function order already amends such legislation so there is no need to repeat the process.

Amendment, by leave, withdrawn.

Bill, as amended, received for final consideration.

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

**Senator Jim Walsh:** I thank the Minister for the amenable manner in which he dealt with strong and cogent arguments from all sides of the House. It is a hallmark of the way the Minister works and enhances both the debate and the legislation. He takes on board arguments from all sides that improve the legislation.

The motivation for this legislation is to ensure we develop indigenous industry. This offers the potential for jobs, not just in production but in service. Often where enabling provisions are allowed in legislation the lead-in times before the necessary regulations can be made are lengthy. I appreciate in this instance that a certain process must be followed with the European Union but as soon as this is complete I ask that the Minister introduce the regulations at an early stage so we can tap into the interest which appears to exist at present. Much work remains to be done by promoters and interested parties before their proposed projects come to fruition but we should facilitate their efforts in every way we can, including by the early introduction of regulations.

**Senator Joe O’Reilly:** I join Senator Walsh in thanking the Minister for engaging the House on this Bill. Not only was he present for most of our deliberations but he also responded to our arguments. I do not propose to rehearse these arguments other than to note that our objectives are to reduce carbon emissions, improve our overall environment and create jobs with enhanced incomes.

I am satisfied with the Minister’s responses to our Report Stage amendments. He outlined the spirit in which he will act when introducing ministerial regulations in respect of supporting domestic production and processing. I am also pleased he is prepared to consider the novel proposition put forward by my colleague, Senator Bradford, on including the Minister for Agriculture, Fisheries and Food in the regulatory process in order that farmers are incentivised as primary producers. It is heartening that the Minister, Deputy Gormley, is prepared to go beyond Senator Walsh’s “shall” to assure us that our objective of creating a level playing pitch will be achieved in the regulations.

From my party’s perspective, I am pleased with the outcome of our deliberations on this Bill because our main ambition is to create jobs. It was the sole theme of our conference last weekend and giving people the dignity of work remains our central policy objective. This is the means by which we will build an exciting, healthy and happy society and a strong economy. I thank the Minister for his courtesy in engaging with Members.

**Senator Brendan Ryan:** I thank the Minister and his officials and wish the legislation well in its objective of promoting the use of bio-fuels and renewable energy in this State. We hope for a successful outcome because the country needs it.

**Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan):** I thank Senators for their engagement on this Bill. As Senator O'Toole noted, the issues with which it deals are complex and technical. I recall a description of democracy as government by discussion. The Seanad fulfils a useful role as a democratic institution. The more we question and consider, the better we will be at governing. We all have a responsibility in that regard, whether in Opposition or Government.

**Senator Paul Bradford:** May we quote the Minister on that?

**Deputy Eamon Ryan:** Senators can quote me on it. Our work on this Bill is a good example of that type of discussion and governance. We strove towards our common objective of stimulating our economy to create the employment we so badly need. I appreciate the work of Senators and my officials in that regard.

My Department is very small and my officials cover a range of areas. I travelled to London yesterday to meet my counterpart Minister on certain related issues. A bank of ten officials would come in to support the UK Minister on one matter, to be replaced by another ten when our discussion turned to the next item on the agenda. However, the same Irish officials stayed to cover both matters because their briefs were wide ranging. Despite being a small Department, we take on a large legislative programme and I commend my officials on their work. I look forward to taking the Bill to the Dáil for further consideration.

Question put and agreed to.

*Sitting suspended at 4.55 p.m. and resumed at 5 p.m.*

#### **Mental Health: Statements.**

**Minister of State at the Departments of Health and Children, Education and Science, Enterprise, Trade and Employment and Justice, Equality and Law Reform (Deputy John Moloney):** I am glad to have this opportunity to come to the House to speak about mental health and, in particular, the Government reform programme, A Vision for Change. A Vision for Change is a seven to ten year Government reform programme now into its fourth year. Before I continue I hasten to add and suggest that the rate of reform has not been what had been anticipated. I do not intend to use the prepared speech to discuss what has been achieved. While that has some importance, the most important part is what remains to be done. I acknowledge that much needs to be done and I intend to use my time to talk about this.

Upon my appointment some 18 months ago, I made some clear commitments in the area of the reform programme by way of the targets set. I welcome robust debate on this issue and any debate should not only be about what we in the Department are doing. I realise much needs to be done and I welcome debate on the relevant areas.

When the capital programme was announced I set myself a target of visiting all the psychiatric hospitals in the State during the past 18 months and I have visited most of those hospitals to date. While these visits were prearranged, they were in a private capacity, but they were notified to the media and local politicians in an attempt to try to work with the hospital staff, patients and their representatives to progress a development and closure plan. At the end of the round of visits the next part of the plan was to ensure we put a capital programme before Government. The capital programme was approved in this year's budget. It is a €50 million multi-annual programme dependent on the sale of properties. I will outline the properties in question but, more important, I will refer to the capital committed for this year and future years. It is important to note that the capital element is very important. I chose to say we could

[Deputy John Moloney.]

deliver on the closure of all the hospitals in a three year period. I did this specifically because I believed that to extend the time commitment would reduce the importance of the closures.

I intend working with the Irish Council for Social Housing on this matter. The council has visited me already and we are preparing a joint commitment and presentation which will involve the Minister of State, Deputy Finneran, myself and officials to ensure the management of the capital programme and to provide for the closure of the hospitals. This programme will also involve an element of voluntary housing and I intend to expand on this matter later during questioning.

We must ensure the commitments in A Vision for Change are based on the recovery model and that they refer to the transfer from institutionalised care to community care, which will be the cornerstone of the reform programme.

I made it clear at the beginning of my time in the Department that it was very important to have a directive for mental health as proposed in A Vision for Change. I am very pleased to have made this case to the HSE. The HSE and Professor Drumm have acknowledged this and I am pleased to note that Martin Rogan, the relevant director, is someone with a track record who has come from the psychiatric services and who has practised as a nurse over the years.

I intend to refer of a very important part of the reform programme that I will present on 15 April. Even if there were no difficulty with funding we would have to work within the terms of the available funding. The most important thing I could say in this debate is that even with all the capital support necessary to deliver A Vision for Change unless we deal with the issue of stigma and its eradication, efforts will be of little benefit.

I wish to take some time to elaborate on the national campaign I will introduce on 15 April. I realise difficulties exist in respect of the moratorium and how we can deliver the change and I will address these matters presently.

I make the point that any commitments I have made to date, I have lived up to. I believe somebody has said about me that there is a lot of vision but little change. I hope people will check the record to see if that stacks up, as I do not believe it does. I have lived up to the commitments I made on the capital programme, the director and the transfer from institutional to community care within three years. I am not big-headed enough to believe I will be here for three years, but it is important that each March the Minister, whoever he or she is, as long as the programme is place, confirms what has been achieved in the previous year and, more importantly, what is proposed to be achieved in the following year.

While many issues keep cropping up, I must prioritise. Priority must be given to child and adolescent care. As I have heard quoted by many eminent persons in the service, some 70% of mental health difficulties begin in the child and adolescent years. In that context, I have asked the Government to prioritise funding for early intervention measures. In saying this, great credit is due to the staff involved in the services. It is also important to stress that we are all in this together. It is not a party political move on behalf of anyone. I have heard Mr. Tony Bates, for instance, speak for Headstrong and see what is happening in Ballymun and Galway. I have visited those facilities. I am also pleased to say that last month we visited Roscommon where I was happy to see so many people around the table — representatives of FÁS, the local authority, the VEC and the community and voluntary sector — all promoting the concept of community support on mental health issues. I give full credit to the people involved. I refer, for instance, to the American philanthropist, Mr. Chuck Feeney, who has worked with the Government to provide the necessary funding to deliver the Headstrong programme, Jigsaw. I am pleased to say that last week the Government committed itself to funding the reform programme in Roscommon which forms part of a national campaign.

I do not want to bore Senators by talking about achievements. Clearly, they are only matched by commitments and progress on what remains to be done. I ask Senators to bear with me as I show them that while we are in difficult financial times, progress is being maintained. A total of 55 child and adolescent mental health teams are in place and a further eight are being developed. The number of inpatient beds for children and young people has more than doubled since 2007. It has increased to 30. A further two 20-bed units are under construction in Cork and Galway. I had the pleasure of turning the sod at both facilities. The commitment made in *A Vision for Change* is that 100 beds will be provided. I appreciate that we are not halfway there, but I ask Senators to realise that we are speaking about work in progress and delivering on this commitment before the end of the programme.

The Mental Health Commission's code of practice relating to the admission of children to adult units in approved centres was amended to require that from 1 July 2009 no child under the age of 16 years be admitted to an adult psychiatric unit, that no child under 17 years be so admitted from 1 December 2010 and no child under 18 years be so admitted from 2011. This, together with the provision of additional beds, will substantially reduce the number of admissions to adult facilities. To my mind, that is progress, but it is not enough.

The first annual report on child and adolescent mental health services was launched in October 2009. It provides comprehensive data on the level of activity in the service, as well as important information on the young people presenting and how the nature of their condition changes with age.

Some 19 additional beds in the Central Mental Hospital and six places in a step-down residence in west Dublin have been provided, as well as the in-reach service to prisons, including clinics at Cloverhill, Mountjoy, Wheatfield and Arbour Hill Prisons. Further details are contained in my statement.

The Central Mental Hospital recently won an award for best hospital project in the Irish Healthcare Awards 2009 and the An Duais Mhór trophy for its prison in-reach and court liaison service. The service is a fine example of collaborative working, involving gardaí, District Court judges and staff of the Irish Prison Service and the forensic mental health service.

It is worth noting also that shorter episodes of inpatient care have been achieved and that 50% of discharges occur within two weeks of admission. There are also fewer involuntary admissions.

Executive clinical directors have been appointed to lead reform in catchment areas serving populations of 350,000 to 400,000. I see the role of director as working with clinical directors to establish what can be achieved in *A Vision for Change* and, more importantly, if there are barriers to progress and, if so, to have them removed. The appointment of Mr. Martin Rogan as national lead within the HSE is an important step in implementing *A Vision for Change*.

I do not intend to read from my prepared script on the National Service Users Executive. The executive is part and parcel of the reform programme and involved in every aspect of implementation of *A Vision for Change*. I particularly thank those who were in the House last November when we debated the issue of ECT. Obviously, I thank Senators on the Government side from where I expected to receive support, but I particularly thank Senators on the other side for, as it were, stepping aside from the politics of the issue and postponing the decision until such time as we presented information to the House on the matter. I recognise we have had an opportunity to debate the pros and cons of ECT treatment in the House in the past few weeks. It is up to us to keep faith with our commitment to bring forward the heads of a Bill not later than June.

On the commitments given on the capital programme, I have always believed that, even though there has been significant progress made, the public is aware of the old grey Victorian



[Deputy John Moloney.]

buildings. Having had the opportunity to visit so many of them, I realise that altogether there are approximately 1,200 patients who could live outside. Clearly, there were no press statements or political announcements on the capital programme, nor do I intend to make any. This is something that should be done properly by way of the HSE making the announcements. I am pleased to say, on behalf of everyone here, that the capital programme is now under way, involving the first tranche of the €50 million. On the long-standing commitment to provide a new acute psychiatric unit in Letterkenny, this week the contractor was on site as part of a capital programme worth in the region of €6 million which will be delivered within 15 months. The capital programme also includes St. Loman's Hospital, Mullingar. I am trying to deal with the highlights in the report of the inspector each year which covers conditions not only for patients but also for the staff who work in the hospital. I understand work will begin on the new 50-bed unit adjacent to St. Mary's Hospital, Mullingar at the end of next month. It will replace St. Brigid's Ward and St. Marie Goretti Ward. On the long-standing commitment to provide the new psychiatric unit at Beaumont Hospital, I expect the Department and the HSE to seek planning permission by the end of July. There is a sum of €25 million to be provided in Senator Prendergast's area — Clonmel. I am not shouting about these developments. They are part of an ongoing process.

I was in Grangegorman sometime ago and I am pleased to be able to say that within eight to 12 weeks the enabling works will begin. The objective must be to meet the commitment given to provide the new 66-bed unit.

I ask Senators to allow me a minute or two to deal with the forthcoming stigma campaign. There is in place the capital programme, as well as the director. There is the commitment to close hospitals within three years, to ensure we make the best use of primary care centres to house community mental health teams, to meet the specific targets set in respect of child and adolescent mental health and, most importantly, that the Minister involved should be present at the launch of the report each March at Farmleigh House.

Having met the various groups involved over the past 18 months, I know the main issue is how we deal with the stigma attached to mental health illness. Senator Frances Fitzgerald and Deputy Chris Andrews invited Mr. Kjell Magne Bondevik to address the cross-party Oireachtas group on mental health. I have had the pleasure of hearing him on many other occasions.

Since I took up office I have always believed the real trick will be to ensure the issue of mental health illness is tackled in the same fashion as physical ill health. My intention is to drive a reform programme on the capital side with the closure of older hospitals and make people aware of the need to protect their mental well-being.

In the past I have referred to the time when my doctor in the Mater referred me to a psychologist in late 2007 after treatment for a nerve pain in my face which was related to stress. I am happy to say I attended five sessions and that it helped me recover from that bout. I hope this will encourage people to talk up the issue of recovery models as envisaged in *A Vision for Change*.

I invited people and organisations involved in mental health well-being to help drive a national campaign, *Sea Change*, the national mental health stigma reduction partnership. At long last, it will be launched on April 15 in the Mansion House. I thank Mr. John Saunders, who headed the effort, and all those who worked hard to bring it together. Anyone I approached to assist, be they in politics, the arts or sports, became involved in the campaign. It will bring together all the groups involved.

Going around the country, I met so many different groups and people who wanted to raise awareness about mental health well-being. Often, however, I heard them blame politicians for

not being more pro-active in suicide reduction. The launch of Sea Change will be an opportunity for them to row in behind us. While I do not want to go much into the details of the campaign now, the reach-out will be to local media. National campaigns are beneficial in themselves but local media involvement is also required. Local sports stars, politicians and artists will participate in weekly magazine programmes on local radio to say it is no big issue if one needs mental health support. We have also approached people with national profiles to help launch the campaign and they have all been willing to assist.

When one in four people will suffer some mental health problem, it is important facilities are put at their disposal and that coming out about it should not affect their employment, promotional or home-owning prospects. Many are frightened of the idea of mental ill health. The campaign will also explain the different levels of mental illness and be committed to the recovery model. The various diagnostic titles such as psychosis, schizophrenia, bipolar disorder and depression are often seen as lifetime labels. This campaign will be targeted at ensuring such lifetime labels around these illnesses are reduced and eventually dismissed to allow people every available route to recovery.

The commitments made in A Vision for Change will be delivered in the existing timeframe. While I accept not all Members will sing off the same hymn sheet, we all want to see reform in the provision of mental health services. It is important, therefore, targets are set every year and their success measured. The only way to ensure continuing reform in the mental health services is to have specific funding ear-marked in the mental health programme. A proper presentation on this will have to be delivered; it cannot be shoddy. A Vision for Change can be delivered upon as it was compiled by those who use the services. It is important the supports it promises are delivered across the board in psychiatric care. It is up to us to deliver on this reform roadmap.

**Senator Frances Fitzgerald:** I welcome the Minister of State, Deputy Moloney.

The launch of the Sea Change campaign on 15 April is critical and I assure him of 110% support from this side of the House. It is an initiative I welcome. The issue of a stigma around mental health issues is enormous and blights people's lives, self-esteem, employment prospects and their families every day. It is critical we begin to deal with it nationally, as well as helping people deal with it personally. I hope it will be a multifaceted campaign and will continue for as long as it is needed.

The stigma surrounding cancer only began to lift in recent years. There was a time when women were too frightened to speak about breast cancer. Only in retrospect can we see how ridiculous that was. Only when we tackle the stigma around mental health issues will people get more effective help earlier. Many mental health difficulties arise in adolescence. It is critical those it affects get help in time and the services they need. When people are too afraid to speak about it in school or to their employer because of the stigma associated with it, it only leads to further difficulties.

I welcome the Minister's personal commitment to this area. He spoke of his own experience which will be helpful for many people. I refer to the 400 patients in care in old psychiatric hospitals who should not be there. It is interesting to see the report from the Department of Health and Children. There are 4,700 people in old hospitals. The Department report refers to 400 people who should not be there. I welcome the commitment to capital funding.

The Minister of State should clarify what will happen if the sales of these properties do not go ahead or if the properties have been greatly reduced in value. We know the property market at the moment. What are the implications for mental health funding? Is there a guarantee from the Government for the €50 million over three years or is that dependent on the sale of prop-

[Senator Frances Fitzgerald.]

erty? If dependent on sales this year, it could be very problematic even if new facilities can be built at a cheaper rate. The Minister of State can clarify the funding mechanism with regard to the sale of these lands. If the lands were being sold in the Celtic tiger era, one would be optimistic about the money they would generate which could then be ring-fenced. It is important the money is ring-fenced. What will happen if there are no sales this year? What will happen to the sum of €50 million for this year, next year and the year after? I would like as much information as possible on that point.

There have been difficulties with the transparency of mental health funding. I am aware of the economic downturn. Perhaps the Minister of State will comment on the fact that it seems the proportion of spending on mental health is now 5.4%, far below the Government's commitment to 8.24%. I ask the Minister of State to address the implications of this and explain how it happened. What is included in that figure of 5.4%? I have a number of questions on the money that will be spent in A Vision for Change. It is quite difficult to get this information in meetings of the Joint Committee on Health and Children. I have no doubt the heart of the Minister of State is in the right place and he has good intentions but good intentions will not fund our mental health service. Funding questions are critical if we are to see the provisions in A Vision for Change implemented. This programme is far behind but the fact that Mr. Martin Rogan is in place as director and the existence of the service users council are positive developments.

If A Vision for Change is to become reality, there will be community mental health teams and rehab and recovery teams in place. To close outdated facilities, proper community facilities must be in place. Is the HSE committed to putting more teams in place this year, for both adults and children? What is the number of teams? For example, the target for the plan for child and adolescent mental health teams was 55. Is that 55 for 2010 and does this represent the same 55 talked about for 2009? In other words, is the sum 55 teams in total? I am assuming the figure is not 110 in total but that may be the case. There have been a number of announcements.

I refer to waiting lists for child and adolescent services. A number of the teams will only accept acute emergencies where patients are psychotic or suicidal. Many parents are unable to go to local mental health teams and be assured of an assessment service within two years. Waiting lists vary greatly throughout the country. Many parents cannot get access to the service unless one is in a total crisis. Are figures available for waiting lists throughout the country? Is the Minister of State gathering these and is there an intention to deal with them in a particular timeframe?

I welcome the commitment by the Minister of State that children will not be admitted to adult inpatient units. That will cease completely by 2011. This shows the importance of having targets and monitoring what is happening. We can monitor this over the next three years.

The HSE had targets for a number of areas regarding mental health last year, including reducing the proportion of admissions that are readmissions and reducing the involuntary admission rates. These targets are not met, perhaps in part because of the lack of a comprehensive community-based mental health service. This raises the question of getting the community services in place as quickly as possible.

What is the relationship between the Minister of State, the Department and the HSE? The Minister of State sets targets and talks about what he wants to achieve. Then I see the HSE trying to implement the targets but not achieving them. The policy of the Minister of State is not being implemented. What is the mechanism to ensure targets set are met? What are the concrete plans to achieve these targets? When we have this information available regularly,

the credibility of the Minister of State will be much greater. There is a gap at the moment and it is quite confusing when we try to get clear answers on the issue of funding in meetings of the Joint Committee on Health and Children. It is very difficult to get clear answers on what funding is ring-fenced and what money is allocated to the mental health budget. The proportion has decreased and this speaks for itself. The financial information given by the HSE, especially for the service plan for this year, shows the budget for mental health services is €240 million lower than the 2010 Revised Estimates. Where has the €240 million gone? Has this been allocated to the general health budget? It is a matter of transparency and trying to see what has been spent in this area. I have laboured the point but it is important in terms of the credibility of the programme. We must have clarity on the funding, the amounts, the percentages and the targets set for proportions of the mental health budget in 2010 and 2011.

It is important to highlight that mental health is not a matter for one Department and that it concerns other Departments. The Minister of State provided the example of the housing section in the Department of the Environment, Heritage and Local Government and its critical role in this area. It would be helpful to find out how other Departments implement A Vision for Change. In the field of equality, for example, we asked every Department to quality proof its policies. It would be useful to ask Departments to provide a response to A Vision for Change and the aspects of it that involve them. We should ask for reports from them. The Minister of State with responsibility for mental health should be a super junior position because so many Departments are involved. The housing section of the Department of the Environment, Heritage and Local Government has a part to play, as does the Department for Social and Family Affairs and, particularly, the Department of Enterprise, Trade and Employment. I would like to hear from the latter Department about the links it can make to the Department of Health and Children. The stigma and the nature of some mental illnesses, where people move in and out of the workforce, means there is a need for particular support and understanding from employers or social welfare officials dealing with those coping with mental illness. Much work remains to be done with these Departments and we need a multi-departmental approach to the implementation of A Vision for Change.

Some organisations, such as Amnesty International, are very keen to see if we can introduce legislation to underpin A Vision for Change. Service provision is always a difficulty because of the limits of what the Government can promise but it is an interesting area to consider. I wish the Minister of State well with the new initiatives and I recognise that some progress has been made. However, A Vision for Change is far behind schedule and there have been serious problems in respect of funding, some of which has been siphoned off to the general health budget. I would like greater clarity in the future on the current funding mechanisms, the proportion being spent on mental health and the funding generally the Minister of State envisages over the next three years.

**Senator Maria Corrigan:** I welcome the Minister of State. Along with Senator Fitzgerald, I found his contribution to be very interesting and thought-provoking, especially when he deviated from the script. It reflected the personal commitment, enthusiasm, dedication and energy he has brought to this portfolio.

Members have sought this debate for a long time. All of us have raised it on the Order of Business at one stage or another because of the concern that this can sometimes be an area that is neglected. However, it is important to start with a message of positivity. It is important to say that we can intervene effectively for people experiencing mental health difficulties. We can prevent mental health difficulties arising and we can promote and enhance our mental well-being. We can be ambitious in terms of people with mental health difficulties being facilitated to make a full contribution to our society. That is the tone in which this debate takes place and

[Senator Maria Corrigan.]

it reflects the contributions all of us have made previously, whether in other debates or on the Order of Business.

The Minister of State referred to A Vision for Change, which is undoubtedly an outstanding blueprint for the development of state of the art mental health services that will ensure we provide access for all people. It is a plan of which any country would be proud. As the Minister of State said, one of its undoubted strengths is that it is the product of a combined effort on the part of patients, family, staff and services and that it is supported and has the confidence of all concerned.

Achievements have been made, and it is important to acknowledge those achievements. The Minister of State referred to them but said he did not want today to be all about those achievements because many challenges lie ahead. However, I would like to acknowledge some of the achievements. The establishment of the Office for Disability and Mental Health was a particularly important step. The developments that have taken place regarding the increase in the number of beds available for child and adolescents are important, as is the commitment given that we will reach a stage where children under the ages of 18 will not be admitted to mental health wards. The naming of Mr. Martin Rogan as the lead person for mental health is another important step. It is important on a day like today to take the time to acknowledge that. I would like to take up the Minister of State's invitation to discuss also the challenges involved, of which there are many. I will try not to repeat those already outlined by Senator Fitzgerald because we are all under pressure in terms of time.

The first challenge we must discuss is the confidence people have in the implementation of A Vision for Change. As a result of its slow start, many people's confidence in it was somewhat shaken. That has some of its origins in the role played by the Health Service Executive in particular and its engagement in it. I do not want to knock the Health Service Executive. I am well aware there are many staff members in front-line positions within the HSE who work very hard to deliver quality mental health services. However, serious concerns have been expressed over the years about what happened to all the additional money allocated to mental health services. We all recall when the extra €25 million that was indicated would be needed for the implementation of A Vision for Change was allocated in the budget but it could not be traced or found to have been spent in the mental health areas. Indeed it was one of the reasons no additional funding was provided in the budget for mental health services in one year because there had not been a demonstration that money had been spent within that area.

I welcome the steps the Minister of State has taken to bring the implementation of A Vision for Change back on track. I welcome the plan outlined on 1 March in his Department and at the Farmleigh event. It was clear there was a renewed confidence and vigour among everyone attending and it gave them great heart but given that questioning, I ask the Minister of State if there is a role for the Oireachtas to play in the overseeing of the implementation of A Vision for Change. Is there a need for a specific Oireachtas joint committee to be established to which the HSE would have to report regarding the implementation of A Vision for Change? If such a step were to be taken, it would renew confidence and would also send out a positive message that mental health is a priority for the Oireachtas. Not a week goes by in the Seanad or the Dáil that Members do not advocate for mental health but somehow, and especially in this economic recession, mental health is not covered in the national media and can be seen, therefore, as something that is not necessarily the priority we all know it to be. Giving the Oireachtas a role in the implementation would be one way forward.

I welcome the capital project the Minister of State outlined on the previous occasion but I want to address the revenue provision that will be made for ongoing service development. I welcome the commitment and the identification of early intervention and adolescent services.

We are aware that the earlier we intervene, the more positive the prognosis. We see that in projects such as DETECT that have been run by Dr. Eadbhard O'Callaghan and his team in St. John of God Hospital. We are aware also that other projects such as Headstrong, which is run by Tony Bates, intervene with adolescents at an early age and remove the stigma around the issue for adolescents by making it a natural part of development. If a teenager is not feeling well and he or she wants to call in to Headstrong, he or she can do so. There is no big deal about it. That is an important message and I welcome the fact that the Minister of State is prioritising those services.

I ask the Minister of State not to forget about older people with mental health issues, which is a major challenge facing us. Issues will arise for people in nursing homes with age related disorders in that initially they will qualify under the fair deal scheme but when they require that extra support in a dedicated mental health facility, even within the nursing home, they will no longer qualify. We are aware that people are living longer and with age related disorders we are seeing more challenging needs that require a greater degree of support. I ask the Minister of State to provide for those.

I echo the point raised by Senator Fitzgerald. I, too, would like to know about the apparent difference between the HSE service plan and the Revised Estimates, which is approximately €240 million.

I ask the Minister of State also if it would be possible for us to set in stone a proportion of the health budget to be spent on mental health, whether it be 8% or 9%. Could that money be ring-fenced in some way to ensure it is not appropriate for that money to be diverted to any other part of the health service? Investing in mental health is a positive investment for our communities.

Regarding A Vision for Change, what measures will be taken to provide mental health services for people with intellectual disabilities? Also, has a decision been made yet regarding the location of the new Central Mental Hospital? It would be an awful shame, in the context of the Sea Change campaign being run by the Minister of State, if the Central Mental Hospital were to be located on the grounds of a prison. I believe this would be counterproductive in terms of what we are trying to achieve.

While funding is an important part of A Vision for Change, it is not all that is necessary. The Minister of State identified some of the other challenges in terms of the moratorium and employees being required to change jobs, train and upskill. Legislative issues also arise. Some changes recently introduced by way of legislation are positive. However, the mental capacity legislation must be brought before us as quickly as possible. This legislation could have a profound impact on so many different sectors of society. It is of the utmost importance that we are given the maximum possible time to consider and debate it as its implications will be felt for a long time.

I welcome the progress made in the area of suicide. The training programmes, such as Assist, run by the National Office for Suicide Prevention, have been worthwhile. Part of A Vision for Change focuses on prevention and early intervention and enhancing our own psychological well-being. I put it to the Minister of State that as a first step in this regard we need to link with schools' SPHE programme. If we want to address stigmatisation, much of which arises from a lack of information and awareness, we must ensure children are at an early stage given a positive understanding of the challenges in this regard and are given, upon leaving school, a proper toolbox in terms of coping and tolerance skills. Again, if we want to pursue early intervention, a key element will be ensuring there is information and awareness in terms of mental health challenges and the help available. When we undertake projects, such as that outlined by the Minister of State, it is crucial, if we can encourage people to talk about mental

[Senator Maria Corrigan.]

health issues and to come forward regarding mental health issues, that we have in place a response system to assist people who come forward. That is the role that community mental health teams must play.

On deinstitutionalisation, the plan to close institutions and move people into communities is important. However, I have concerns in regard to community housing. I was delighted to hear the Minister of State speak about voluntary housing. I would like to see us embrace a framework of supported living. There is a danger of community houses becoming mini-institutions. Where community housing is established, what will be the position in this regard in terms of the inspectorate given they will no longer come within the remit of the inspectorate of the mental hospital? An issue of concern, even in terms of adults with intellectual disability, is that there is in place an inspectorate in this area.

I thank the Minister of State and wish him well.

**Senator Phil Prendergast:** I thank the Minister of State for coming to the House. I have a somewhat different story for him and would like to make a few observations. It is my belief that A Vision for Change is being abused by the Health Service Executive. It is supposed to be the blueprint for the future of our mental health services but it is being used as a type of propaganda tool.

My experience to date in Tipperary is that the HSE south has no intention of following A Vision for Change, a conclusion I have drawn from the untruths it tells the Irish public, more detail of which I can provide for the Minister of State. The Minister for Health and Children, Deputy Harney, and the Minister of State, Deputy Moloney, are not taking responsibility for this issue and are allowing themselves to be treated as HSE salespersons. It has become obvious at this stage, in the context of the Tipperary mental health services, that the Minister has taken on the role of selling HSE ideas to the public.

I would like to deal with the decision to close the 49 acute bed unit on the general hospital campus in south Tipperary as announced on 12 January. I would like to know the Minister of State's input into that decision-making process, which appears to be non-existent given his detailing in regard to how the decision was arrived at. I would like to know what input the Minister of State had in that decision and the status quo in this regard.

I met and received a briefing from Amnesty Ireland who has a number of wide ranging concerns in regard to A Vision for Change, some of which have been raised by previous speakers and which I will not repeat. I would like to know how many community health teams are in place as there appears to be a discrepancy between the number given by the Minister of State and the actual number in place. Perhaps the Minister of State will clarify the position in that regard and in regard to how many children's teams are in place. Children continue to be admitted to acute psychiatric adult wards and there are waiting lists in almost every HSE area of children awaiting assessment by psychologists and psychiatrists. The staffing levels in mental health services continue to be 50% below what is required. These figures have been supplied by Amnesty Ireland.

One fifth of what is envisaged in A Vision for Change has a cross-departmental element to it. This creates difficulty because co-ordination of mental health issues across the Departments of Health and Children and Justice, Equality and Law Reform and the SPCs, in terms of housing and social policy and how people are rehoused and taken care of in the community, is a big issue.

On the decision to close the acute unit in south Tipperary, an issue we have previously discussed with the Minister of State, the option appraisal document is three and a half pages

long and was presented to the hospital executive at South Tipperary General Hospital as being the process by which this decision was arrived at. The document, entitled Proposal for the future of St. Michael's Unit Clonmel, states:

This paper sets out some of the background of St. Michael's Unit and puts forward the number of different options with regards to the future. [Background] St. Michael's Unit is a single-storey acute adult inpatient facility built in (?) and has 49 beds across two separate wards. There is a small high dependency unit (more detail ? seclusion room suite). It has an ECT suite and (? Fulfilling the national standards). Attached to the ward area a variety of offices to accommodate nursing and medical staff. Outpatient clinics are held here and in more recent years it has functioned effectively as an emergency drop-in facility (expand detail). A variety of Mental Health Commission reports have highlighted many of the shortcomings of this facility both in terms of physical structure, access to outside space and to meaningful daytime occupational and leisure facilities. It has been felt that these do not meet the requirements of a modern inpatient psychiatric facility. Additionally these reports have highlighted or suggested outdated standards of care or practice, possibly related to the association, with an older long stay institution next door. [He refers to St. Luke's which we all agree must close.] There have been issues with inflexible rostering and a lack of continuity of care. There appears to have developed a culture of risk averseness and in common with many other units significant problems with a population of people with co-morbid psychiatric and alcohol and polysubstance misuse problems. There have been significant attempts to address these problems including a St. Michael's Unit Group formed some years ago to look at the integration of two wards and setting standards for the unit. The development of an out of hour's service whose intention was to decrease admissions and more recently a Bed Management Group. Despite this and many other efforts the unit continues to be occupied at above 100% of its capacity and on leave beds are used to accommodate emergency admissions.

St. Michael's Unit for 40 years has admitted patients from the North Tipperary Sector and this amounts to approximately 40% of its bed capacity. Attempts have been made in the past to reprovide for the inpatient needs for North Tipperary patients but without success.

[Limerick, which is supposed to take these patients, cannot accommodate them.]

There are now significant challenges ahead in meeting the needs of the local population for their inpatient and community care including the necessary resources in line with Vision for Change guidelines and external imperatives such as the European Working Time Directive (EWTG) for Junior Doctors which needs to be implemented forthwith.

He then names two personnel, whom I will not name because that would not be correct before stating:

. . . please add in additional significant headline difficulties. You may want to also add in some strengths that say something like, "despite these difficulties staff have managed to carry on working in these very difficult circumstances with a high degree of commitment and effort").

#### Option One

Do nothing.

This is probably not an option as allowing the current state of affairs to continue would be unfair and would continue to ignore the inpatient care needs of the local population in the current physical environment.



[Senator Phil Prendergast.]

### Option Two

Redesign and refurbishment of the wards on the existing site including creation of an appropriate locked ward facility with appropriate seclusion facilities.

This would probably entail a reduction in the number of beds and reproviding for North Tipperary patients elsewhere. Given the physical nature of the site this is likely to be expensive in terms of capital costs and would not necessarily solve the practice issues referred to above. Equally redeveloping this site would mean there were too many acute inpatient beds for the population of the expanded directorate of Carlow/Kilkenny/South Tipperary (220,000 — 88,000 for South Tipperary). A bid for funding for such capital development would be in competition with other community capital development, which would be more in line with the modernising of mental health services as set out in the Vision for Change strategy.

### Option Three

A new mental health facility build either on new site or current site. This option could include provision for North Tipperary patients or not.

While this may be attractive politically it would still suffer from the same problems as the previous option in that it would be competing for capital funding with community-based facilities and services and out of keeping with the total number of acute beds needed for expanded directorate catchment area for Carlow/Kilkenny/South Tipperary.

### Option Four

Closure of St. Michael's Unit at end of 2010/first quarter of 2011.

The essence of this proposal is that robust alternatives to admission were implemented in the community in South Tipperary prior to its closure. North Tipperary patients would have to be accommodated within their own expanded directorate catchment area. Admissions for South Tipperary patients would need to be approximately halved and be accommodated in the Department of Psychiatry wards in St. Luke's Hospital, Kilkenny.

The advantages of the reprovision of inpatient care needs for South Tipperary patients with the closure of St. Michael's would be:

1. Release of resources to fund more modern community-focused services for South Tipperary, North Tipperary and Carlow/Kilkenny.
2. A provision of a higher standard of physical inpatient environment in Kilkenny.
3. A removal of the requirement to implement EWTD for Junior Doctors in South Tipperary.
4. Increase capacity of mental health staff to concentrate on community service provision, most notably Consultant Psychiatrists who would not be required to provide inpatient care for their patients while accommodated in Kilkenny, thereby releasing them to focus on community service development and community provision (anything else).

### Disadvantages

1. Local/political concern about change in provision of services.

2. Resistance from staff groups.
3. Travel to and from South Tipperary to Kilkenny for patients and their friends/relatives.
4. Difficulties in implementing changes in mindset/work practices e.g. change in consultants' job remits.
5. Significant cost of funding adequate community resources to implement this option fully, safely and effectively.
6. Potential for increased numbers of incidents in community.
7. Concerns and possible resistance from other chief stakeholders, e.g. Gardaí in cases of for instance, involuntary admissions, assisted admissions etc.
8. Significant difficulties for Limerick or Mid-West expanded catchment area to reprovide for North Tipperary inpatient needs, (any others?)

This is the option appraisal document which led to the announcement of the closure of 49 acute beds in south Tipperary and I cannot believe the Minister of State signed off on this because nowhere in the document is what should be in an option appraisal document. I have an example of what should be in such a document and it provides for consultation. There was no consultation with the nursing staff, psychiatrists, the staff running the hospital or the patients and this decision was announced on 12 January.

Dr. Kelly continues:

In order for this option to be feasible a number of essential requirements would need to be implemented:

1. Creation of a project team to oversee reprovision programme — January 2010. This can be achieved within existing resources and consist of essentially an expansion of the project team overseeing the closure of St. Luke's Hospital.
2. Effective engagement and communication strategy for all key stakeholders both internal and external to the organisation within existing resources.
3. Development of home based treatment services comprising of 0.5 WTE consultant, 1 WTENCHD, 1 CNS, 10-12 WTECMHNs, 0.5 WTE psychologists, 1 WTE social worker, 1 WTE O.T., 3-4 WTE healthcare workers, 1 WTE admin support (see appendix for model).
4. Team base for home treatment team? St. Michael's Unit or exiting community facility.
5. Provision of training programme.
6. Crisis house in community.
7. (any other central requirements?)

This document is dated 6 January 2010.

The Minister of State referred to the construction of the new unit in Letterkenny, the construction of a community nursing unit in Clonmel and the closure of St. Luke's Hospital but he did not mention the closure of St. Michael's unit on the general hospital campus. Perhaps he will clarify the decision. If the appraisal document I read into the record constitutes a decision-making process that does not involve a member of staff working in the facility or

[Senator Phil Prendergast.]

providing services, will he clarify how the HSE is doing its business and how the people of south Tipperary will be treated?

**Senator Niall Ó Brolcháin:** I wish to share time with Senator Boyle.

I welcome the Minister of State. I am a great fan of A Vision for Change. Change takes time and it has to happen on a planned and clear basis. The keyword is implementation and this is what we need to focus on. It is unfortunate we are experiencing a recession because recessions tend to lead to a greater need for mental health services with depression, in particular, becoming more pronounced. However, resources are also more difficult to provide. Nevertheless, we must do the best we can in this regard.

The move from the Victorian model to a community-based model will be excellent. The strategy is the way forward and implementation is the key issue. The principles underpinning it must be considered and it deals primarily with putting in place secondary care community-based teams. They comprise psychiatrists, psychiatric nurses, clinical psychologists, social workers and occupational therapists while art, music and drama therapy will also be provided. The regionality of services being provided currently is a problem in that some areas have much stronger services than others. Should we consider rolling out the teams as best practice pilot models or should they be rolled out on the basis of equal provision throughout the country? The model which provides that some areas do slightly better than others is not necessarily the best way forward. What is the Minister of State's view on that?

The issue of primary health care is crucial and the Minister of State speaks a great deal about it. The idea that when somebody goes to a doctor, he or she is immediately referred to a secondary team when there is a mental health issue is unacceptable. As much as possible must be done at primary care level before moving to the secondary level. I realise that "co-location" is a dirty word but it is suggested primary health centres could be co-located with secondary health centres in some cases. That is probably a good model.

My final point relates to cures for mental health problems. There is a dependency culture in mental health treatment in that it is very much a drug based system. The principle of shying away from drugs as much as possible and not using them where it is possible to do so is a good one. We should be seeking to cure mental illness, not simply treat it at a palliative level. It is important to proceed in that way.

The moratorium on the recruitment of staff must be examined. This is an extremely important issue which could have a profound impact on our society.

**Senator Dan Boyle:** The personal commitment of the Minister of State to these issues is recognised by all in the House. The document, A Vision for Change, is acknowledged as progressive and the frustration is due to the delay in implementing it fully. However, the Minister's renewed commitment and the support he is receiving from the Cabinet must be acknowledged. My colleague, Senator Ó Brolcháin, has pointed to the difficulty with the staffing moratorium. As mental health services are more human resource dependent than other areas of the health service, the Minister of State needs every support in dealing with the matter.

I take this opportunity to reinforce that support. The Green Party in this House has placed particular emphasis on mental health. While I thank the Minister of State for organising the recent seminars, I urge him to accept that there is a necessity to make progress on section 59(b) of the Mental Health Act and the concept of coercive treatment for people who do not have the capacity to give informed consent to that treatment. The support he has given to the process of examining this issue should be seen in the context of the overall review of the Mental Health Act and the document, A Vision for Change, which is patient-centred. I hope the House

collectively, through the office of the Minister of State, will see a degree of legislative change that will make this area less uncertain and less of a lottery for those who find themselves in the position where they are given treatment which they might not choose to have. My party and I will be happy if that is one of the results of the review.

In general, the Minister of State deserves to be commended for his overall approach. There is renewed confidence that the principle behind A Vision for Change can be achieved, when in recent years it had appeared that the policy document might be veering towards a longer timeframe.

**Acting Chairman (Senator Terry Leyden):** There is a vote in the Lower House. We will suspend the sitting for 15 minutes to allow the Minister of State to vote.

*Sitting suspended at 6.15 p.m. and resumed at 6.30 p.m.*

**Senator Rónán Mullen:** Cuirim fáilte roimh an Aire Stáit. Tréaslaím leis as ucht a chuid dea-oibre. Déanaim comhbhrón leis nach ball den Rialtas anocht é, ach ní fada go dtarlóidh sé sin.

When A Vision for Change was published in January 2006 it was greeted with near-universal approval. No one doubted that mental health services badly needed a substantial overhaul and A Vision for Change was seen as containing a credible blueprint for that to happen by 2016. Since its publication the credibility of the proposed mental health services blueprint has remained a constant. What has changed, unfortunately, is the optimism which greeted its publication. Scepticism as to the implementation of A Vision for Change is largely down to a lack of political will and, in particular, a failure to commit Government finances to the project means that many of its proposals and recommendations remain in limbo. The Government should publically and unequivocally commit to implementing A Vision for Change fully no later than 2016, the original due date. Ease of access was to be a hallmark of a system where the involvement of service users, their families and carers would be encouraged and facilitated as regards the development of services and their delivery. The establishment of highly professional community mental health teams to offer multidisciplinary home-based and outreach care would signal a much needed shift away from the old “battery hen” paradigm of mental health services. The new model would see formal links between mental health services, primary care services and voluntary groups. It would operate along updated geo-demographic trends and within catchment areas of between 250,000 and 400,000. To make room for these changes A Vision for Change recommended the closure of the existing mental hospitals with a view to selling off these capital assets to fund the implementation of the recommendations.

It sounded fantastic, but bureaucracy and lethargy have stymied momentum. Three successive reports in 2007, 2008 and 2009 by the independent monitoring group established to monitor progress in implementing A Vision for Change, criticised the HSE for its delay in implementing key recommendations of the document. The first report took issue with “the lack of a systematic approach to implementation and the lack of clarity in responsibility for implementation in the HSE”. The lack of real leadership and a comprehensive implementation plan was noted in all three reports. Though the 2009 report recognised that progress was being made with regard to the provision of child and adolescent services, and also engagement with service users and mental health information systems, it warned “that the recommendations of A Vision for Change cannot be implemented effectively without a National Mental Health Service Directorate”. It said the absence of a dedicated leader at senior, national level had impeded progress in the implementation of A Vision for Change and might be contributing to continuing poor facilities and standards of care in some areas and an inconsistent approach to embedding the recovery ethos in services. Two of the key tenets of A Vision for Change have not yet been properly

[Senator Rónán Mullen.]

addressed: catchment areas have not yet been put in place, while the resourcing of community mental health teams has not been sufficiently prioritised.

What adds to the disappointment is the insistence on behalf of the HSE that they have in fact released a comprehensive implementation plan. This document is however aspirational in tone and largely uncosted, ambiguous and lacking in a rigorously defined timescale. Indeed, Dr. Siobhán Barry, co-author of a 2009 report by the College of Psychiatry of Ireland which encompassed issues relevant to mental health services, has claimed that at “the current rate of staff recruitment it will take 40 years to implement” *A Vision for Change*. Her report, entitled *A Gloomy View*, found that 53% of the services surveyed across the HSE had consistently low levels of recruitment of the promised multidisciplinary team members, with only 16% receiving the resources which they had been promised. It is not as if this shortfall in resources and commitment was unforeseen. In welcoming *A Vision for Change* upon its publication the Irish college of psychiatrists added the caveat: “We would be concerned that the necessary funding to drive the recommendations will not be made available over the seven years.” This was prescient. It pointed out that mental health services in this country have historically suffered from “an acute lack of funding”. The college further highlighted that even if all went according to plan the percentage of health monies allocated to mental health would rise from 6.8% to 8.24% — still a considerable distance off the 12% to 14% it recommends. The Department of Health and Children has admitted that while from 2006-09 the HSE was provided with €51.2 million to implement *A Vision for Change*, €24 million of this was used to meet “overriding obligations of the HSE to live within its approved allocation”.

In 2009 the Centre for Ageing Research and Development in Ireland produced a report on the progress of *A Vision for Change*. It acknowledged the Minister of State’s total commitment to the project, as I do here. However, the centre highlighted several areas where implementation was severely behind schedule: the selling off of old psychiatric hospitals to raise the €796 million needed for the new project; the appointment of a director for mental health services in the HSE; and the establishment of community mental health teams to specialise in different areas such as adult mental health, child and adolescent services, the psychiatry of old age and intellectual disability.

I am not suggesting that absolutely nothing has been done to implement *A Vision for Change*. In 2006 there were 47 community, child and adolescent mental health teams. By January 2009 this had increased to 50 teams while now there are roughly 60. All told, that is a 30% increase since 2006 and credit is due for that. Furthermore, since 2006 at least 18 adult community mental health teams have been created. Earlier this month the Minister of State announced that a total of 14 Victorian-era psychiatric hospitals were to be closed with a total of 1,200 patients to be transferred to more modern community-based facilities within three years. Some of these antiquated facilities were at various stages described as “inhuman” and “deplorable”. At the announcement the Minister of State pointed out that there had been a doubling in the number of child and adolescent beds to 30, along with shorter episodes of inpatient care.

However, it would be delusional to believe the response by the HSE to *A Vision for Change*, thus far, has been anything other than piecemeal. The reality is that implementation is behind schedule, still lacking a truly comprehensive plan and relying on the sale of property to avoid the worst of the property collapse so as to be an adequate source of funding. The final key recommendation of *A Vision for Change* was that it “should be accepted and implemented as a complete plan”. To date that has not happened. What is required is a renewed resolve on the part of the Government and the HSE in particular to honour this document. This resolve must be public and must be framed by a genuine commitment. Therefore I repeat my call on

the Government to publicly commit to implementing fully A Vision for Change by the original due date of 2016.

We are where we are and we all know the situation is very serious economically. I know the Minister of State will be doing as much as he can to bring about the fulfilment of A Vision for Change. However, we also know the test of a civilised society is how it treats its most vulnerable members. I reflect on the plight of those groups of people affected by the lack of modern provision for their needs, despite the fact that some may have concerned loved ones who look out for their interests and are frustrated at the lack of progress on their behalf. There are, however, groups who lack political clout and whose needs have for far too long been unaddressed. There has been a lack of imagination as regards thinking properly about the full dignity of people at all stages of their lives and taking the steps necessary. This is visible more generally in our hospital services as well. Consider the infrastructure of our hospitals and what people have to endure in situations of vulnerability and compare that with the circumstances people with money enjoy when they go to hotels. I often find it remarkable how little hospitality exists in our hospitals despite the good efforts of dedicated staff, primarily because they operate in out-of-date premises, which of course is a central theme here too. It is also a question of ongoing resources.

I had a meeting with the Irish Hospice Foundation this morning to hear about its concerns to try and make hospitals more friendly particularly in end-of-life situations. Relatively small amounts of cash injections by the State could be matched by private donations to try and fund particular projects wherein people would be treated in a more humane manner in hospitals, particularly in end-of-life situations where facilities could be developed for people to talk to a loved one *in extremis*, or to receive the remains of someone who has just died and so on.

It is true that the times are financially difficult, but we must never forget that this is an indication of the need to prioritise. We shall spend much time, and rightly so, talking about the need for investment in education and research and development. Last week I was among many politicians pointing to the fact that the Irish commitment to research and development has remained constant because we know that is what is needed for the economy to recover. However, we must not forget the heart of our society, which must involve the protection of its most vulnerable members. Mar achoimre beag ar an méid atá ráite, bhí ríméad ar gach éinne nuair a foilsíodh an fíis seo i mí Eanáir 2006. Bhí gach éinne sásta leis an méid a bhí molta agus socruithe le déanamh. Tá a fhios ag an saol go bhfuil géarghá le athordú iomlán sa chaoi ina gcuirtear seirbhísí ar fáil dóibh siúd le fadhbanna sláinte intleachtúil ar leibhéil éagsúla. Is léir gurb é atá sa doiciméid seo ná an cur chuige ceart. Mar a dúradh, bhí sé i gceist go mbeadh sé i réim agus i bhfeidhm faoi 2016. Is léir nach dtarlóidh sé sin muna bhfuil athrú sa chaoi ina bhfuil an Rialtas agus an HSE ag tabhairt faoi agus muna gcuirfí na hacmhainní caoi ar fáil. Tá cinneadh le déanamh anois os rud é nár tharla go fóill go leor de na rudaí gur chóir dóibh a bheith tarlaithe ag an bpointe seo. Tá súil agam go dtabharfaidh an Rialtas gealtanas go gcuirfean an fíis seo i bhfeidhm roimh 2016.

**Senator Geraldine Feeney:** I welcome the Minister of State, Deputy Moloney. As he noted in his presentation, he took up this job a little under two years ago. He is probably the best Minister with responsibility for mental health issues and disability we have had in a long time. I say this because he has put his political head on the block so many times. He says what he wants and promises to have it introduced by next March, for example, and then to do something else by the end of April. I have watched the Minister of State, whether before the Joint Committee on Health and Children every quarter, on “Prime Time”, on a news bulletin or at some launch. He shoots from the hip but he speaks from the heart.

[Senator Geraldine Feeney.]

I commend the Minister of State because he is doing a very brave thing. I am glad Senator Fitzgerald acknowledged the work of the Minister of State and that there have been changes since he came into office. The Minister of State said on a number of occasions that the first thing he did on being appointed to office was to read himself into *A Vision for Change*. As Senator Corrigan said, it is good to start on a positive. We need to be positive when it comes to mental health issues and see the glass as half full rather than half empty. I am glad we have a mind and a pair of hands like the Minister of State's to steer this issue for us.

I have certainly seen changes take place. Eight years ago, when I came into the House, I was spokesperson on health and children. Those were the dark and dreary days when mental health was the Cinderella of the health service, if not the Cinderella and the two ugly sisters all rolled into one. Very little was happening at that time in this area but the Minister of State has taken it by the scruff of the neck and shaken it up.

I am glad the Minister acknowledged earlier that while he would expect support on his own side of the House, he would look for support from the Opposition benches as well. I have no doubt, having listened to Senators Mullen and Fitzgerald, that he will get that support.

Having observed what the Minister of State is doing and where he is coming from, and from talking to others, I know he has the support of the medical and nursing community as well as the public. When I met Dr. Tony Bates of Headstrong, he told me an interesting story of which I have no doubt the Minister of State is aware. At the Headstrong unit in Galway one day, Dr. Bates overheard a young man take a call on his mobile phone from a friend who was clearly asking him where he was. When he said he was down at Headstrong, the friend asked him where that was, thinking it was a pub or café. The young man replied that it was the place to drop into if a person has mental health issues.

That leads me to the whole area of stigma. As Senator Corrigan rightly said, it is lack of information and awareness that leads to stigma. However, young people of second and third level age do not have an issue with stigma. It is the older members of society who have been reared with this stigma and who carry it on.

As I said in the House the day after George Lee resigned from politics, if one eighth of the media coverage given to him could be given to the stigma that surrounds mental health, it would alleviate the sorrow and suffering of hundreds of thousands of people on this little island, not to mention worldwide. It is a problem that follows mental health issues worldwide.

I would love to think this issue would be taken up by the members of the media, who are at this moment talking about how the new Ministers feel about their new appointments, and whether they are happy or unhappy. They are talking about one particular female Minister and saying she must be grossly unhappy. I have just met her, and she is jumping over the moon she is so delighted with her new portfolio and looking forward to the challenge.

**Senator Jerry Buttimer:** She would say that to the Senator.

**Senator Rónán Mullen:** Which one is that?

**Senator Geraldine Feeney:** I wish the media would take up the issue of banishing the stigma that is attached to mental health. It would make the Minister of State's job much easier if the media would do that but they are not interested in that type of a story.

I know there are some, such as Miriam O'Callaghan, who are very interested in mental health, and I take my hat off to her for the wonderful "Prime Time" programme on this issue. The Minister of State was also on that programme and I admire and respect him for acknowledging there is still much to do. His words today were that he is sorry the reform of *A Vision*

for Change has not been fully achieved. However, we are not even halfway through our term with that seven to ten-year programme and, hopefully, under the Minister of State's stewardship, it will be achieved.

As the Minister of State knows, one in four people will be affected by mental health issues throughout their lives. Whether we like it, this affects every one of us because one in four is a very large number. It will be somebody in my family, Senator Buttimer's family or the Minister of State's family — we will all be affected by it.

I am thrilled to hear the Minister of State say the community-based model is the way to go, which it of course is. I had occasion two years ago to visit a person in the psychiatric unit in Portlaoise in the Minister of State's constituency. I was amazed and proud that we could have such an excellent unit as the one in Portlaoise, which is in the grounds of and part of the general hospital, as opposed to the awfully antiquated place I knew of as a child. Growing up in Tullamore, I remember hearing that so-and-so is "in Portlaoise". People did not even mention the mental hospital; they simply said somebody was "in Portlaoise" and it was known where the person was.

The stigma surrounding mental health must be done away with. I have met people who are afraid to tell their employers or managers that they have mental health issues and are being treated for depression because they know it will not look good on their employment record. Such people have been penalised and victimised when they have told that they have mental health issues.

I ask the Minister of State to keep up the excellent work he is doing. People with mental health issues are very vulnerable and if anybody is to give them reassurance, he is the one to do so. I ask him to keep out there and to keep talking the way he has been talking. We might arrange for the Minister of State to come to the House to have this type of debate every quarter. We have been asking for this for a long time because there is never any harm in bringing issues to the fore from time to time.

**Senator Jerry Buttimer:** I commend the Minister of State for his commitment to his job and, in particular, his account on the "Marian Finucane" programme which touched many of us. While I would not jump into bed with Senator Feeney in calling him the best Minister of State at the Department for Health and Children, he has a very positive approach and commitment to the job. I hope the Government will give him the necessary commitment.

World Health Organization statistics show that Ireland has the fourth highest rate of suicide in the age range of 15 to 24 years in the European Union. As Senator Feeney correctly stated, the members of the Cabinet are out on the plinth talking about the reshuffle when the reality is that 95% of the people do not care about it. Fellow citizens are under pressure, unable to cope and struggling. I refer to the Minister of State's remarks about the need to have person-centred recovery measures in mental health services. We must protect and support all citizens. I have said before in the House that we need to support young and middle-aged men who are very vulnerable and feel isolated and alone, either as a result of losing a job or financial pressure; men who are struggling and cannot cope with being gay; men whose relationships have broken down; men who are left powerless and vulnerable for a plethora of reasons. It is important we strike a note of solidarity with them.

I commend all those involved in the mental health services. I worked as a hospital porter and had the pleasure — I use that word deliberately — of working with patients in Cork University Hospital, formerly Cork Regional Hospital. Men especially were struggling with issues in their lives and I learned to appreciate what life has to give. We are very fortunate to have our mental health and can come here tonight and act as advocates and be a voice for



[Senator Jerry Buttimer.]

people. As Senator Corrigan correctly said, we must de-institutionalise old psychiatric buildings and close them down. In so doing, it is important to apply the concept of assisted living in its holistic sense and look at the role of the inspectorate. We should not just move patients without joined-up thinking. We must join the dots, so to speak, and put people at the core. We must ensure adults with an intellectual disability are not lost.

I have a concern that the figures in the financing of A Vision for Change are unrealistic. The Minister of State stated €25 million had been given to the HSE prior to 2009. What will happen to the remaining buildings that have not been sold? Who will buy them? There is a downturn in the economic value of property. If we are moving away from institutional care which is the right policy, we must look at patients in these hospitals. We are all aware of individuals who should never have been placed in them and suffered badly. I hope the community support services will have the capacity to meet their needs and that significant funding will be available.

It is four years since publication of A Vision of Change. The Minister of State has stated honestly that its implementation has been slower than anticipated. Dr. Siobhán Barry referred to the need for 1,803 new staff and stated this could take 40 years. While I am not an expert, does the Government know what it is doing and where it is going in the context of implementation of A Vision for Change?

I welcome the Minister of State's remarks regarding the campaign against stigma to be launched in April. I commend his personal commitment. While I do not question his energy in the Department, I question the commitment of the Government to the fulfilment of the aims of this policy document in terms of the sale of buildings, ring-fenced funding, the provision of staff, the role of the inspectorate and the funding mechanism to be put in place.

I was struck by the Minister of State's remarks about citizenship but we still have a long road to travel. I compliment Amnesty International and the children's mental health coalition on their excellent presentations to us in recent months. We need to steer a new course. There needs to be youth participation in schools in order that young people can become voices for change in the way in which mental health is viewed. This is not an issue about beds or institutions. It is not about physical buildings but people. This has to be at the core of our thinking, although it may seem like a very simplistic approach. In any town or rural area there are people who are walking around aimlessly and have no sense of the contribution they are making to society. They feel vulnerable, alone and isolated. They do not think there is support available to them or that there is someone available to help them. We all meet people in our offices every week who are looking for help in seeking housing or filling in basic forms. Many bureaucrats view them as a nuisance or as being four sheets in the wind, so to speak, and dismiss them. The Minister of State is the primary driver of the vehicle. He must ensure we build a coalition to engage in implementation of A Vision for Change. The time for rhetoric is over. The children's mental health coalition made some very interesting points in the four key areas — the four pillars — which include the education system, the criminal justice system and the care system.

I pay tribute to Mr. John McCarthy in Cork and his Mad Pride campaign which has taken advocacy to a new level. I also thank the Minister of State for his work. He is but one part of the wheel which is in need of an overall and an over-arching Government commitment which I hope will be given.

**Senator Mary M. White:** I welcome the Minister of State and wish him continued success in his mission to improve mental health services and achieve a reduction of the stigma attached to depression and mental illness.

I will focus on older people and mental health. Depression is the most common mental health disorder in later life, affecting between 10% and 15% of people aged 65 years and over. Older people suffering from depression can be affected by feelings of sadness, loneliness, rejection, failure, hopelessness or a combination of these. Depression, however, is not an inevitable part of growing older. Its prevalence among the old is often linked to the increased likelihood of losing loved ones, retirement, the loss of independence or chronic illness. An increased suicide risk has also been identified, particularly for older males, among whom there is a relatively high rate of completed suicide, often through indirect means, such as starvation, dehydration or failure to take important medical drugs.

Older people are often reluctant and embarrassed to describe psychological or emotional issues. As part of the Government's mental health strategy for the future, we need a targeted health promotion campaign that focuses on mental health issues among older people and that highlights the fact that depression is not a natural part of aging. This should include increasing awareness among older people and their families and friends of the warning signs of depression and other mental health problems.

A key to mental health disorder prevention is preparation for the changes that occur in old age, such as retirement, bereavement and poor health. Programmes designed to develop self esteem and coping skills, and counselling for those undergoing change, are important tools that can be used as part of an overall strategy.

We must also increase older people's access to the treatments that are available. Early detection and treatment can lead to significant improvements in mental health and quality of life. If we fail to deal with the mental health of older people, we will fuel a lack of understanding of depression, leaving many older people affected by the illness, undiagnosed and untreated.

**Senator Liam Twomey:** It is fitting that, as we speak, Deputy Dan Neville and Miriam O'Callaghan are launching two books related to the issues surrounding suicide and mental illness. I wish them well.

I am disturbed at the way we link any success in A Vision for Change to the remnants of a collapsed property market. Any money from the sale of properties in the mental health service in the last four years went back to general Exchequer funds and if the money was given to the HSE it could have spent it on anything. If some of the properties that are now being put up for sale had been sold in the last four years, they would be moved into NAMA in the coming weeks. In some respects, therefore, the mental health services are lucky some of this property is still in their ownership because at least the madness of the property bubble has dissipated.

The property associated with mental health institutions, however, should not be seen as the only reason to improve the mental health service. Those services are disastrous, to put it mildly. In County Wexford, St. Senan's Hospital should have been closed years ago but when I called for it to be closed, there was no great support from other public representatives. They did not understand how backward facilities are in some of these institutions.

At the same time, I am not keen on the plan envisaged at the moment. Under that plan, patients from County Wexford must now go to either Carlow or Waterford to receive treatment and the Government has no plans to build an acute unit on the grounds of Wexford General Hospital. That is another backward step because while many patients can be treated in the community, there is a need for an acute admissions unit for those who suffer an acute psychiatric crisis. They need immediate help and proper inpatient care when such a thing happens. A large unit would not be necessary, things have moved on, and patient stays in acute units can be considerably shortened. There should, however, be an acute unit on the grounds of Wexford General Hospital because we have a population of 100,000, with a huge transient

[Senator Liam Twomey.]

population. In the past I have dealt with acute psychiatric crises among those passing through the county. That can be more difficult because they have no family support or company when the episode occurs and there is a need for immediate transfer.

The Minister of State must also look at the way patient transfers are currently being carried out. There were massive problems with the old system, where a family member and I could sign a pink form and a patient would be bundled into the back of a squad car and taken to St. Senan's. That is no way to do things. There can, however, be significant delays. We take a certain risk, often waiting overnight, before the HSE team arrives to make an involuntary admission to a psychiatric hospital. I would be concerned that if St. Senan's closed completely and the delays that can happen with the HSE team at present continue, we could find ourselves in a worse situation with those patients who most need the highest level of care during a crisis. The Minister of State should ensure the rules are changed to protect those patients.

I have not had the opportunity to go through the Minister of State's speech in detail but the child and adolescent mental health teams are often under-resourced. There may be a doctor and a nurse but they do not have the full team required to look after patients with mental health problems in the community. If those people are not properly looked after, we are only wasting our time, putting their lives at risk while not giving them the care they need, leading to them being placed once more in inpatient institutions. The whole community project then fails. These must not become "ghost" teams, like the Minister for Health and Children's primary care teams, that only exist on paper. The Minister of State must do this properly.

If the Minister of State wants care for mental health patients in the community, it must be done properly. If he wants to provide proper inpatient care for those undergoing an acute crisis, we can settle for less but it must be funded from general Exchequer funds. We cannot rely on selling properties that no one wants these days.

I hope we do not end up with a situation like one I am dealing with at present, where a 16 year old boy who broke his hip on St. Patrick's Day is lying in a hospital bed in Waterford waiting for a transfer to a Dublin hospital for an operation. To be dealing with a such a situation in this day and age is madness. That is happening in the general medical service, an area people understand, but there are worse situations in the mental health services that are being provided across the country. People, however, do not understand that unless they are caring for an individual who has these problems.

**Minister of State at the Departments of Health and Children, Education and Science, Enterprise, Trade and Employment and Justice, Equality and Law Reform (Deputy John Moloney):** I thank Senators for holding this debate. It will be difficult for me to answer all questions in ten minutes, because ten Senators contributed and most asked at least five questions.

I would welcome the opportunity to come back more often, and I will take up the recommendation from Senators Corrigan and Feeney that there should be quarterly sessions to gauge progress. I hope that not many patients are listening to this debate because it would lead them to wonder whether their chances of living better lives have improved. I take a very positive attitude to my current job and hope I will take the same attitude to any other Department to which I am appointed. I was staggered to hear the claim that it will take 40 years to reform mental health services. I wish to rehearse a number of points for those who take an interest in these matters.

I cannot believe that certain Senators have suggested we do not have a director of mental health services. Mr. Martin Rogan was appointed to this position six months ago. The appoint-

ment is in itself a fundamental step towards delivering the reform programme. The appointment of regional directors represents another important part of our agenda.

It was never the Government's intention to depend solely on the sale of properties. The fact that I have had to repeat this point so often goes to prove that mental health is not really the issue. I have repeatedly stated at press conferences, meetings of the PNA and public consultations on the reform programme that a combination of sales of properties, the voluntary sector by way of the Irish Council for Social Housing and primary care centres for community mental health teams will reduce the overall cost initially for delivering A Vision for Change.

As Chairman of the Joint Committee on Health and Children, I dealt with the issue of the high incidence of suicide in this country, which is part of what we are discussing today. I have tried to offer hope that modern services will be made available throughout the country to provide proper support. Unlike some Senators, I have had the opportunity to learn first-hand about the huge strides that have been made. I am glad mention was made of Galway. I am pleased to know that the first two Headstrong facilities are in place and that a commitment has been made to fund 20 centres by 2016.

I thank Senator Fitzgerald for her very positive attitude but assure her that funding for mental health services is ring-fenced and €50 million has been committed each year from the sale of properties. I am disappointed that people are putting out the nonsense that we will not be able to sell the properties concerned. How many more negative arguments must be made against the people who are trying to get out of institutionalised care? In respect of the ten properties we originally targeted, there is a real interest in ensuring we deliver on our €50 million commitment.

In regard to the role of other Departments, a commitment has been made to employ 7,000 people with disabilities, including in the area of mental health, by the end of 2010. We have already exceeded the figure of 5,000 and by working together our Departments will show how we can deliver the remaining 2,000 jobs.

In the area of housing, I have a track record from providing a 28-unit scheme for the elderly in my home town of Mountmellick, and a planning application has been submitted for a 30-unit scheme which will incorporate housing for people with mental health issues and disabilities. Rather than focus on negative aspects, why can Senators not be more proactive in offering leadership in closing hospitals in their own communities? This will not depend on the sale of properties. Of the 1,200 people accommodated in the old mental hospitals, 70% can live in the community. If Senators really want to deliver on A Vision for Change, they should not spend their time wondering how many community mental health teams are in place. Let us develop proposals with our respective local authorities for providing facilities. I give my commitment that the HSE will offer that level of support to each individual patient transferring out of mental hospitals.

Senator Ó Brocháin raised the issue of equality across the regions. I accept that certain parts of the country offer excellent supports in terms of community mental health teams and local mental health groups. I also acknowledge Senator Boyle's suggestion on section 59(b) of the Mental Health Act. Last December, I gave my commitment to the Dáil that the heads of a Bill would be prepared by June.

Senator Mullen spoke about delays in the sale of properties. I again emphasise that A Vision for Change was never predicated on the sale of properties. The mental health portfolio includes 800 properties and rather than send people the message that it is simply a case of mirrors and smokescreens, I am repeating the specific commitment I gave when I first addressed the Seanad on this matter as Minister of State that we will show how we can deliver on this concept within 12 months. I am aware of the abilities of Professor Siobhán Barry but I assure the House that

[Deputy John Moloney.]

I have my own abilities. I do not believe for one minute that 40 years will be required to deliver on our programme.

In regard to the question of whether the policy originates from the HSE or the Department of Health and Children, I have clearly outlined my role in driving it with support from both of these bodies. The evidence for this includes the appointment of directors, the development of an implementation plan and, more importantly, the use of primary care centres to deliver modern mental health facilities.

I am all for openness and transparency. I am prepared to appear before this House every quarter as well as the Joint Committee on Health and Children. Nobody asked me to explain my plans to the public at Farnleigh last March. I chose to outline how this Government, in co-operation with all the agencies, can deliver *A Vision for Change*. I wish people would read the foreword to that document before they criticise it. It does not state, for example, that the programme will be delivered in year one, two or three. The service providers at the coalface recognise that it is a ten-year programme. It is nonsense to suggest that we have failed because we have not yet provided 100 child and adolescent beds. We are halfway through the programme.

The reforms are not about the capital programme or the level of spending, even though these are important elements. I often hear criticisms from politicians who are not at the forefront of delivering reform. I am thinking in particular of the need to reduce the stigma associated with mental health. In recent weeks, several people in high profile jobs have told me about the difficulties they endure every day because of their fears of being found out. I wish to throw out a challenge to the media in this regard. On 15 April, I will bring forward proposals at the Mansion House, with the help of John Saunders and other committed people, on a reform programme that will turn the tide of people's attitudes towards mental health. I invite members of the media to come on board for that programme. It is not a one-day event; it is a two-year programme with the capacity to drive real change in terms of persuading people that mental and physical health should be judged the same way.

I would love to see the day when a specific percentage of the overall health budget is committed to mental health. Our focus should be on building a platform so that we can set out the specifics to the Government. However, I am not taken by the notion that funding for mental health services is being continually eroded. I am certain Senator Twomey is aware that some 90% of people with mental health problems present at primary care level. Funding has been delivered through the primary care process. I never once stated that enough is available.

Senator Prendergast raised the matter of Clonmel and I am surprised at her comments. I travelled to Clonmel. Then I came to the House to hear the complaints about the HSE, comments which I do not support. I support the HSE. The idea of attacking the HSE in some cases to make one popular on the ground is not my way of doing things. I supported the HSE when it came to the cancer issue in my constituency and I supported the opposite county. This is why I am surprised. I gave a commitment in the House that rather than simply believe in my own prepared script I would go down to Clonmel to listen to the public representatives and the consultant staff, and I did so. I am beginning to wonder whether this took place. Now questions have arisen about whether I knew my brief or signed off on something. I have news for Senator Prendergast because obviously she turned off while I was discussing this matter. I suspended the meeting in Clonmel and stated I was prepared to accept the word of the public representatives. I informed them that I would return to Dublin and check on the process of how the decision was arrived at. I gave a commitment to each of the public representatives, including Senator Prendergast. However, the Senator prefers to play to her local gallery rather than discuss the matter in terms of a national programme.

**An Leas-Chathaoirleach:** We are running out of time.

**Deputy John Moloney:** As requested, I gave a commitment that nothing would happen in Clonmel until the public representatives involved had an opportunity to meet a Minister. I stand over that commitment but this evening it is as if that never happened and I wonder about the bona fides of the comments the Senator made regarding me.

**Senator Phil Prendergast:** I have an answer if the Minister of State wishes to hear it.

**Deputy John Moloney:** People in the service maintain and I have always believed that it is not all about money or staffing levels. It has been suggested in this debate that we need an extra 1,403 staff. People refer to A Vision for Change as if they read it letter by letter. A Vision for Change explicitly states that 5,400 nurses are working in institutionalised care and the transfer to modern community facilities would require 2,800 nurses. Unfortunately, the people I have visited in hospitals may listen to the negative comments passed here this evening. I intend to send a message back to them that I believe my job is to treat this as a positive commitment to the reform programme, which we are only half way through. However, given the Government commitment and the capital programme we will see that commitment delivered in A Vision for Change.

**Senator Phil Prendergast:** I wish to address one point made by the Minister of State, who stated I am playing to some local gallery. I am playing to no local gallery whatsoever. I read out an appraisal document and I wish to know whether the Minister of State stands over it. Does he believe it is acceptable?

**An Leas-Chathaoirleach:** The Senator has made her contribution.

**Senator Phil Prendergast:** I have the highest regard for the Minister of State as a Minister of State and as a person but I do not consider that having faith in the HSE, which makes these decisions, is satisfactory.

**An Leas-Chathaoirleach:** The Senator has made her contribution.

**Senator Liam Twomey:** On a point of order, I understood this would be a two way process in regards to the question.

**An Leas-Chathaoirleach:** The Senator should note we are out of time.

**Senator Liam Twomey:** I am only asking——

**An Leas-Chathaoirleach:** I am bound by the Order of the House.

**Senator Liam Twomey:** If it is, I invite the Minister of State to come to St. Senan's with me and we can hold a good discussion about what to do with the mental health services in County Wexford.

**An Leas-Chathaoirleach:** The Senator should note that I am bound by the Order of the House.

**Deputy John Moloney:** I have been to St. Senan's.

**Senator Liam Twomey:** I am asking the Minister of State in a very non-partisan way.

**An Leas-Chathaoirleach:** I am sorry we are out of time. I am bound by the Order of the House. When is it proposed to sit again?

**Senator Maria Corrigan:** On Wednesday, 24 March at 10.30 a.m.

### **Adjournment Matters.**

---

#### **Marine Safety.**

**Senator Paudie Coffey:** I welcome the Minister of State to hear the Adjournment matter on this very important and emotive issue for all citizens who live in the south-east region. No one knows when an accident or emergency at sea or any place will occur. It is ridiculous that this Government is once again cutting our frontline emergency services in an attempt to save costs without any transparency around the decision or any regard for the consequences or for saving lives. I understand the savings in this case are estimated to be €1 million.

The south-east helicopter search and rescue service had its busiest year last year with 115 call-outs. I understand the Cabinet has already agreed to cut this service, based in Waterford Airport, from a 24 hour to a 12 hour service. How many lives will be lost before the Government recognises it cannot and must not shut down this essential emergency service? This latest cut will mean any casualty whether a swimmer, a fisherman or otherwise, who gets into difficulty after 9 p.m. off the south-east coast must wait an extra 40 minutes at least for the arrival of a sea rescue helicopter from a base other than Waterford Airport. This time lag will mean the difference between life and death in the majority of incidences.

The Waterford base is included in a recently published document entitled A Search and Rescue Framework for Emergency Management, which I have before me. It is dated 2 March 2010. I understand it is a controlled document which means, I presume, the Minister and Department officials are privy to certain information not available to the public. I would be interested to know the full details of this document. It was prepared by the experts in this area. I am very concerned that for savings of €1 million the accountants in the Department of Transport are dictating that emergency services such as this helicopter service are to be cut.

The new contract allows for an increased budget. The Minister for Transport informs us it will improve the service because it will mean that faster, newer helicopters can be provided from the other three bases. I have news for the Minister. It is not an improved service. In fact, it is a diminished service that is neglecting the needs of an entire population of the south-east region and beyond because the waters off the south-east coast are very busy and are used for shipping, boating, swimming, fishing and many other purposes. It is essential this service is retained.

More than 20,000 members have signed up to a Facebook campaign opposing this measure. These members have emerged in the space of several days, representing a very significant response and this shows the great concern in response to the proposed cut.

The contract for this change has not yet been signed and there is still time to review this decision. I appeal to the Minister and the Cabinet to review the decision and to provide full transparency in respect of why this cut is being imposed and why the people of the south east are being treated on an unequal basis relative to those in other parts of the country. This is an illogical decision. We are an island nation, surrounded by water. However, we are cutting one of the most essential services provided by the Government almost one decade ago, a fact which I acknowledge. It is important that this service should be retained. I look forward to hearing the response of the Minister for State, as do thousands of people in the south east and beyond.

What is the Government doing to retain this service and to protect what is an essential emergency service?

**Minister of State at the Departments of Health and Children, Social and Family Affairs and the Environment, Heritage and Local Government (Deputy Áine Brady):** I am very pleased to have this opportunity to speak on the subject of the search and rescue helicopter service on behalf of my colleague the Minister for Transport, Deputy Noel Dempsey. There has been much ill informed comment about the proposed new helicopter contract. Since we are in the standstill period of the procurement process and about to commence contract negotiations, I am somewhat constrained in what can be said. However, I outline the following points. The new contract has been presented as a cutback in services but nothing could be further from the truth. Far from being a cutback, the contract is a vast half a billion euro investment in maritime search and rescue capability on the island. The new contract will cost significantly more on an annual basis than the current contract because of the improved services to be provided. The proposed contract represents a dramatic increase in funding for SAR helicopter services in Ireland from approximately €30 million to €50 million per annum. This is an increase in difficult circumstances of €20 million a year in this service alone. The Government has also approved the retention of four helicopter bases, including Waterford, for a period to at least 2023.

The new contract represents a stepped improvement in the capacity, range, speed and capability of Ireland's SAR service. The existing contract expires on 30 June but includes a once-off option to flexibly extend individual bases by different lengths up to a maximum of three years, up to 30 June 2013. The Government, therefore, decided to replace the current fleet at significant additional cost — approximately €20 million per annum.

Modern helicopters are much more capable than the current aircraft. They fly at a speed of about 150 knots, can lift more people from further out at sea and are usually able to fly in cloud. They are also more available and dependable, requiring less routine maintenance and being less prone to breakdown.

Bidders were required to quote for a number of alternative options by which the target level of service could be provided. A preferred bidder has now been nominated and the Department of Transport is in the standstill period before contract negotiations can begin.

The annual cost will increase substantially as a result of the provision of modern helicopters. This increased cost will have to be found from within the Department of Transport's existing budget. However, they will deliver a marked improvement in the service. The new helicopters will fly to the scene of a mission faster, find vessels or persons in the water more efficiently, using better search, surveillance and tracking tools, winch them to safety more quickly, provide better medical facilities on board and return them to safety in the shortest possible time.

I, again, confirm that there will be no change in 24-hour availability from the Waterford base before July 2013. Furthermore, the future of Waterford Airport as a base for a Coast Guard SAR helicopter will be cemented until at least 2023. While a 12-hour contract is to be negotiated for the post-2013 period, the Government is committed to keeping the position under review in the light of operational requirements at Waterford and the availability of funding. To put the 12-hour operation in context, in 2009 this would have required 13 of the 113 missions flown from Waterford to be met from another base. In some cases the new helicopters would have arrived earlier but, on average, the additional time required would have been about ten minutes.

In the three years to 2013 the following factors will be considered: the ability of neighbouring search and rescue resources to successfully reach those incidents and effect a rescue; the development of the UK helicopter search and rescue service which will occur at the same time



[Deputy Áine Brady.]

as the Irish changeover and which use the same helicopters; the availability of other search and rescue resources such as lifeboats; changes in the frequency, times, location or pattern of incidents in the area, and financial resources. Thereafter the level of incidents and response times at Waterford will continue to be kept under review during the ten-year contract period.

At national level, in difficult financial circumstances, the new contract is a major recognition by the Government of the value of the Irish Coast Guard and the communities it serves. It is also a substantial commitment to the continuing development of maritime safety services.

**Senator Paudie Coffey:** This does not do anything more to reassure me or the people of the south-east region. The Minister of State has stated there has been much ill-informed comment. I suggest the response she has given has ill-informed the public. She has mentioned there is co-ordination with UK search and rescue services. I have news for her. Services are also being diminished in the south-west region of the United Kingdom where helicopter services are being relocated inland.

**An Leas-Chathaoirleach:** A question, please.

**Senator Paudie Coffey:** My question is as follows. How on earth can the Minister of State see this as an improvement when there is a reduction in the number of hours and cover from a 24-hour to a 12-hour service?

**Senator Jerry Buttimer:** Hear, hear.

**Senator Paudie Coffey:** That is not an improvement. The Minister of State has stated the helicopters used will reach the area of crisis or emergency faster. That is fine if they are based in Waterford, but if they are travelling from Shannon, Dublin or Sligo, how on earth could they be faster in responding to an emergency?

**Senator Jerry Buttimer:** Hear, hear.

**Senator Paudie Coffey:** What the Minister of State has told the House is pure rubbish and the people of the south east will not accept it. I will not accept it. I am emotive about the issue. The Government will face stiff opposition in implementing this measure from the people of the south east and across all parties.

**Deputy Áine Brady:** There will be no change until July 2013.

**Senator Paudie Coffey:** This is a serious issue, on which the Government is not reading the public mood.

### **Obesity Levels.**

**Senator Jerry Buttimer:** I welcome the Minister of State and thank the Cathaoirleach for allowing me to address this motion on the Adjournment. There is a need to draw up a plan to combat obesity which is reaching epidemic proportions. As the Minister of State will be aware, with 14 of my colleagues, I have just completed successfully the “Operation Transformation” programme on RTE which touched a nerve among the public. Some 500,000 people watched the programme and there were over 3 million hits on the website.

We need to hear from the Minister of State on the plans the Government has for combating a growing problem which will cost lives and us in terms of the provision of hospital beds and resources, but for which there is a ready-made solution. Obesity levels are escalating; the statistics drawn from the national task force on obesity are frightening. Some 39% of the population

are overweight, while 18% are obese. Ireland has the fourth highest rate of obesity among adult males in Europe; 22% of seven to 12 year olds are overweight or obese, while research shows that 300,000 could become obese in the near future if current trends continue. Some 4,000 people die per annum from obesity related problems.

Professor Alan Reilly stated at the Joint Committee on Health and Children on 9 March, in speaking about the ways in which the Food Safety Authority of Ireland had worked with interested parties to reduce the level of salt intake in the Irish diet:

Working closely with the food industry and others, we have seen an overall reduction in the salt content of staple foods. The content in bread, for example, has been reduced by approximately 10% over the past five years and there have been similar reductions in other products.

Why not apply the same initiative to ensure better food labelling? There is a recognition that we can put in place a traffic light system in that regard, using green for good foods and red for those foods which have a high calorie content. Such a system could be implemented quickly. Linked with this is a need to provide information for citizens in order that they can make informed choices on what they are consuming. The report of the national task force on obesity states that being overweight not only signals increased risk of medical problems but also exposes people to serious psycho-social problems.

The world norm is an increase in calorie content. The World Health Organization tells us that there is a higher prevalence among boys than girls in almost every European country, except among those aged 15 years in this country where there is a slightly higher prevalence among girls. Obesity presents a challenge in the 21st century that we face and tackle. Its prevalence has tripled in many European countries since the 1980s and the number of those affected continues to rise at an alarming rate, especially among young children. It accounts for nearly 10% of health costs and, in parts of the world, between 10% and 13% of deaths. We must inform citizens that obesity leads to premature death, excessive morbidity and serious psycho-social problems that endanger their welfare and lives.

There is a need for the Government to act and intervene. I accept there is a national task force on obesity. We need to examine the issue through the prism of education, gender, families and peer group influence along with the benefits of physical exercise.

The Ottawa charter for health promotion, published in the mid-1980s, sets out the tenets of public health policy to be the creation of supportive environments, personal skills development, re-orientating health care services towards prevention of illness, and community participation as fundamental to health promotion. Its precepts have been adopted in many health documents in this country.

A plan to combat obesity built on good physical exercise and which promotes food labelling must be targeted at schools and young people. If one takes “Operation Transformation” as a barometer of the nation’s need for exercise and to monitor food intake, the tackling of obesity must come to the fore at the Department of Health and Children. I hope the Government’s response will be positive, proactive and allow people to change their eating habits while increasing their exercise. I hope any campaign will not be delayed and the call to action will be sooner rather than later.

**Deputy Áine Brady:** The report of the national task force on obesity, Obesity — the Policy Challenges, provided the policy framework for addressing the high prevalence and rising levels of excessive weight and obesity, in particular childhood obesity. It attributed the development of excessive weight and obesity to many factors. This wide range of factors made it essential

[Deputy Áine Brady.]

for a multisectorial approach to be taken to deal with the relevant issues. The report provided 93 recommendations for action to include central government, the education sector, the social and community sector, the health sector, food production and supply and the physical environment.

An intersectorial group on obesity, comprising relevant Departments and key stakeholders, was established early in 2009 to oversee and monitor implementation of the task force's recommendations. It published a report in April 2009, detailing progress on each of the recommendations, and showed significant progress was made in the case of 30 of the recommendations, partial implementation had occurred on 29, and action was progressing on a further 26, leaving only eight where little progress was reported.

The report indicated that while significant progress had been made across all sectors, there was a continuing need for concerted action to halt the rise in obesity. The group also gave some consideration to key priority areas for action in the short to medium term. Among those highlighted were measures to increase physical activity among children; awareness programmes about the dangers of excessive consumption of foods high in fat, sugar and salt; increased control of the advertising and marketing of food and drinks aimed at children; improved training for health professionals in obesity prevention; and diagnosis and counselling for those at risk of obesity.

Since the April 2009 report, a significant development has been the publication in 2009 of the first national guidelines on physical activity and the accompanying website "Get Ireland Active". Based on best international practice, the guidelines specify the recommended levels of daily physical activity for people of all ages and abilities.

The work of the intersectorial group on obesity is being examined in the wider review of policy on lifestyle related illnesses, of which obesity is a major contributory factor. Elements of this work will also be progressed in the forthcoming policy on cardiovascular disease which will be completed presently.

**Senator Jerry Buttimer:** I thank the Minister of State for her reply. While we await these further deliberations, we must be more proactive in tackling obesity. Will the Minister of State ask the task force to meet with Gerry Ryan and the participants in "Operation Transformation"? Will consideration be given to making Gerry Ryan the obesity czar as his programme led a great campaign in January and February?

**Deputy Áine Brady:** I will certainly consider the Senator's proposals.

**An Leas-Chathaoirleach:** The third Adjournment matter is in the name of Senator McFadden but she is not present even though we have contacted her office. The House will adjourn.

The Seanad adjourned at 7.55 p.m. until 10.30 a.m. on Wednesday, 24 March 2010.